

State of Maine



JUVENILE JUSTICE ADVISORY GROUP

Maine Department of Corrections

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2012 to 2014

Comprehensive Three Year Plan

For

Juvenile Justice and Delinquency Prevention

Fiscal Years 2012 through 2014

Submitted to the Office of Juvenile Justice and Delinquency Prevention

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2. Program Narrative

a. Project Abstract

The Maine Juvenile Justice Advisory Group is committed to continually assessing our Disproportionate Minority Contact (DMC) data as we work toward intervention to find the most appropriate strategies to address DMC. The JJAG will work to expand the understanding of positive youth development and strength-based principles among the community at large and in the programs it funds and supports. It will continue to explore and provide support to effective programs and strategies that provide structured alternatives to detention specifically for girls. It will advocate for adoption of alternatives to school suspension and expulsion practices and reconsideration of zero-tolerance policies by supporting Collaborative Problem Solving. The JJAG will continue to support only evidenced-based and evidence informed practices and program assessments that have solid research backing their efficacy. The JJAG will work to assure the creation of standards of practice for attorneys who represent juveniles. It will continue to provide judges, legislators, juvenile justice professionals and the public with training and reliable information regarding “what works” so that scarce resources are only spent on effective services.

b. System Description: Structure and Function of Juvenile Justice System

In Maine, juveniles entering the justice system are processed in District Courts that operate as Juvenile Courts. Maine has 117 local police departments, plus 16 county sheriffs' departments (15 county jails), the Maine Warden Service and the Maine State Police. According to the Maine Juvenile Code, juvenile offenders arrested by any of these agencies may not be detained without the prior approval of a juvenile caseworker. Caseworkers are under the jurisdiction of the State Department of Corrections.

Maine has two secure facilities for juvenile offenders, the Long Creek Youth Development Facility in southern Maine, and the Mountain View Youth Development Facility in the north. The State of Maine has full responsibility for the detention of juveniles.

The Formula Grants Program in the State is administered by the Juvenile Justice Advisory Group (JJAG). The Maine Department of Corrections (MDOC) is its fiscal and administrative agent. The JJAG is tasked with helping to build the capacity of the entire juvenile justice system, including government agencies in the system (law enforcement, courts, corrections) and the non-profits that provide programming to juveniles at risk of offending or re-offending.

In 2010 Maine had 273,813 children under the age of 18. Of that number 51% were boys and 49% were girls. One third of those children live at or below 200% of the Federal Poverty Level. (See Appendix i)

State and municipal police and county sheriffs enforce Maine's laws. All have general law enforcement duties, with county and state police sharing responsibility for Maine's large rural areas.

Maine has thirty-seven municipal police departments with lockups, and eight of the sixteen counties have jails that may hold juveniles for varying limited periods of time. There are 25 court holding facilities that may hold juveniles. The MDOC has responsibility for all juvenile detention, and operates the two juvenile facilities, both of which hold both detained and committed juveniles. Long Creek Youth Development Center is in the southern part of the state (South Portland), with an operating design capacity of 163 beds, 30 of which constitute detention space. Mountain View Youth Development Center in Charleston (central part of the state and serving northern Maine) has a design capacity of 140 with a 30-bed detention unit.

The Penobscot Nation, the Passamaquoddy Tribe's two reservations and the Houlton Band of the Maliseet Indians each have the authority within their territories to enforce all laws of the State. Law enforcement officers appointed by the tribes possess the same powers and are subject to the same duties as other corresponding law enforcement officers (Maine Title 30 Sec. §6210).

By Maine statute (Title 30 Sec. §6204) all Indians, Indian nations, tribes and bands of Indians are subject to the laws of the State and to the civil and criminal jurisdiction of the courts of the State.

Criminal offenses for which the maximum potential term of imprisonment is less than one year and the maximum potential fine does not exceed \$5000 and that are committed on the reservation by a tribal member, except when committed against a person who is not of either tribe or the property of a person who is not a member of either tribe may be heard in a tribal court.

The Passamaquoddy courts and the Penobscot Nation court have exclusive jurisdiction over criminal offenses for juvenile crimes against a person or property involving conduct that, if committed by an adult, would fall within the exclusive jurisdiction of the Tribe under the above paragraph and juvenile crimes as listed in Title 15 Sec. §3103 if committed by a juvenile member of the tribe on the reservation (Title 30 Sec. §6209).

The Division of Juvenile Services works closely with the Penobscot Nation, the Passamaquoddy Tribe and the Houlton Band of Maliseet Indians in meeting the needs of tribal juveniles in the State system; however data on juveniles in Indian Country is not shared.

When juveniles are arrested for allegedly committing a delinquent act and continued detention is requested by the law enforcement agency, the case is immediately referred to a Juvenile Community Corrections Officer (JCCO) who must determine whether or not detention is warranted, and if not, the JCCO may order conditional or unconditional release. The Maine Juvenile Code states; "Detention, if ordered, must be in the least restrictive residential setting that will serve the purposes of the Maine Juvenile Code..." If the juvenile is detained, the official who ordered detention "shall petition the Juvenile Court for a review of the detention in time for the detention hearing to take place within 48 hours following the detention..."

Subsequent to a preliminary investigation, the JCCO might decide that ongoing supervision is not required either in the interests of the public or of the juvenile, or that both will best be served by providing services voluntarily accepted by the juvenile. In that case, the JCCO might not request that a petition be filed. Informal adjustment or a sole sanction, such as restitution and/or community service, might be found appropriate.

If the JCCO finds that the facts are sufficient, that JCCO "shall request the prosecuting attorney to file a petition." Juvenile cases are heard in District Courts. Thirty-four district court judges hold court in seven regions in twenty-eight locations around the state. Judges are nominated by the Governor to serve seven-year terms and confirmed by the legislature. Maine's highest court, the Supreme Judicial Court, has general administrative and supervisory authority over the Judicial Branch. Its head, the Chief Justice, designates a Superior Court Chief Justice and District Court Chief Judge and Administrative Court Chief Judge to oversee the day-to-day administrative operations of those courts, and also appoints the State Court Administrator. Juvenile Drug Treatment Courts operate in four locations with ongoing evaluation. Juveniles at high risk for further delinquent behavior, with a history of chronic substance abuse where that substance abuse has been a major factor in the delinquent behavior may be referred to that program.

Local non-profit agencies are contracted by the MDOC to provide juvenile detention alternative services and attendant care at locations across the state. These services are available to juveniles referred by Juvenile Community Corrections Officers in lieu of detention, before adjudication, or for a period of time after detention. A day reporting program serves juveniles and their families in the Portland area, Maine's largest population center of about 230,000.

The Maine Juvenile Code prohibits secure detention of status offenders and non-offenders. The parents of truants may be subject to sanctions; runaways may be taken into "interim care" by a law enforcement officer, but "under no circumstances... be held involuntarily for more than 6 hours." The statute (Chapter 15, §3501) expressly prohibits placement of such juveniles in a jail or other secure facility. Other similar behavior, such as possession or transportation of liquor may result in a referral to the JCCO, summons to court and fines or community service, but youth are not securely detained for status offenses in Maine.

Most services for juveniles are provided through contracts with community service providers and by providers of service under the Maine Medicaid program. Because providers report on the number of children served for the specific purpose of each

contract, the number served by service type is unduplicated. Many children receive more than one type of service, however, so the service types cannot be added together to yield the total number of children served.

The Department of Corrections and Department of Health and Human Services (DHHS) work to assure that all youth who come to the attention of the Division of Juvenile Services are screened and evaluated for any mental health issues and linked to appropriate treatment. This does not always happen. With reduced services and funding some youth are missed. The JJAG continues to work to bring this much needed service to all youth who come into contact with the Division of Juvenile Services.

Mental health professionals, employees of the Children's Services Division of DHHS and non-profit agencies working at the facilities, oversee the behavioral health program at Long Creek and Mountain View and serve both committed and detained youth. A mental health screening protocol has been developed and screening tools identified. All youth committed are screened resulting in individualized intervention plans. The Massachusetts Youth Screening Instrument (MAYSI-2) is used on detained juveniles at the youth development centers.

Mental health program coordinators in each of the four regions coordinate mental health services for youth under supervision in the community. Although they work for DHHS, they are located in the Department of Corrections Juvenile Division's Regional offices and participate in joint training to assure that employees of both Departments understand the roles and responsibilities of each other as well as the needs of the youth in the system.

Performance Based Standards continue to remain an important tool in improving conditions of confinement for committed and detained youth at our two juvenile facilities. A four (4) level system compares performance outcomes amongst all participants. The detention units at the Youth Development Centers have achieved level three (3) now score in the top 16 % of all programs in the country. It is anticipated that the next data draw will demonstrate equally impressive results for committed youth.

Both of Maine's Youth Development Centers have passed rigorous American Correctional Association audits with outstanding scores and earned national accreditation.

Other services provided youth in the juvenile justice system through collaboration with DHHS/Office of Substance Abuse (OSA) include a Juvenile Substance Abuse Treatment Network. The Network provides screening and treatment services for youth in the community as well as those in correctional facilities.

The Departments of Corrections and Health and Human Services have identified standard assessment and treatment specifically for youth who sexually offend—our Long Creek and Mountain View Youth Development Centers. The Juvenile Sex Offender Assessment Protocol-II (J-SOAP-II) is being used as part of a comprehensive risk assessment in a systematic review of risk factors that have been identified in the professional literature as being associated with sexual and criminal offending.

Research in the field of positive youth development is leading juvenile justice programs to focus more on strength based approaches to holding youth accountable for their actions, and ultimately their lives. The “Diversion to Assets” program in Maine is working with five local communities --where juvenile crime is high and the diversion rates are low--to build a program that is diverting first-time offenders into relationships with caring adults in the community. Referrals to the programs come from the local police and/or the juvenile community corrections officers. The goal is to hold juveniles accountable for building a safe and productive life by providing community-based supports that will continue to support their healthy development.

In 2011 Maine became a Juvenile Detention Alternative Initiative (JDAI) site working with the Anne E. Casey Foundation to change Maine’s juvenile justice system. Like the Foundation we believe that all “youth should have opportunities to develop into healthy, productive adults as a result of policies, practices, and programs that maximize their chances for personal transformation, protect their legal rights, reduce their likelihood of unnecessary or inappropriate incarceration, and minimize the risks they pose to their communities. “

With the structure of the JDAI Maine will eliminate the inappropriate or unnecessary use of secure detention; minimize re-arrest and failure-to-appear rates pending adjudication; ensure appropriate conditions of confinement in secure facilities; redirect public finances to sustain successful reforms; and reduce racial and ethnic disparities.

Maine has the collaboration between the Maine Departments of Corrections, Education, Health and Human Services, law enforcement, the courts, and child serving providers.

We have been collecting contact points, race and ethnicity, school and mental health data, to name a few, for many years. This data along with data prompted by the Annie E. Casey Foundation will both diagnose our system’s problems and proclivities and assess the impact of various reforms. With this data we will develop objective admissions criteria and instruments must be developed to replace subjective decision making at all points where choices to place children in secure custody are made.

Late this year we will develop non-secure alternatives to detention in order to increase the options for youth who would otherwise be locked up. The alternatives will be based in those neighborhoods where detention cases are concentrated and operated by local organizations.

As we work through this process we will look at those youth in custody who are there as a result of probation violations, writs and warrants, as well as those awaiting placement and, if need be, develop new practices and procedures.

Maine is looking at racial disparities to see what strategies are needed aimed at eliminating bias and ensuring that all children are treated equally. Our current Disproportionate Minority Contact work in Cumberland County, Effective Police Interactions with Youth training, our juvenile services training and collaborative efforts with police departments and schools have given us a leg up in this regard.

One of Maine's goals in the JDAI work is to work toward reducing the number of children who are confined unnecessarily.

<http://www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative/CoreStrategies.aspx>)

c. Analysis of Juvenile Crime Problems and Juvenile Justice Needs

The Division of Juvenile Services (DJS) partners with the Muskie School of Public Service to develop an Annual Juvenile Recidivism Report. The latest report (2011) found that the number of children adjudicated for the first time decreased 15.8% between 2006 and 2008, from 1,480 to 1,246. Half of these children were placed under DJS supervision. These supervised children decreased in number 20.5%, between 2006 and 2008, from 825 to 656.

More than half of children were adjudicated for one offense. Approximately 80% of youth were adjudicated for a misdemeanor. Approximately 80% were boys. Approximately 70% were between the ages of 15-17 when they were adjudicated. One year recidivism rates ranged between 21.1% and 26.5% in the three year study period. Even after three years, most 2006 cohort children (61%) did not recidivate.

Children who recidivated tend to do so quickly, with the highest number recidivating within the first three months compared to any other time period. Children classified as low risk recidivated at lower rates than moderate and high risk children. Girls and minority children scored higher on the Youth Level of Service-Case Management Inventory (YLS-CMI) risk assessment in 2007 and 2008 but these groups did not recidivate at higher rates. (MDOC/DJS Annual Juvenile Recidivism Report, 2011)

Maine is seeing fewer arrests of children each year. In 2007 there were 7,092 arrests of children aged under 10 to under 18 years (52 were under 10 and 2,357 were 17 to 18; 5,108 were male and 2,572 were for property offenses). In 2010 6,492 children were arrested (32 were under 10 and 2,159 were between 17 and 18; 4,546 were males; 2,143 were for property offenses).

Police referred more children to the Maine Department of Corrections in 2009 (6,407) than in 2007 (5,425) and 2010 (5,873). Most were 17 to 18 year olds (2,332 in 2009 and 1,997 in 2010) but in 2007 more 16 year olds were referred (1,623 while 1,265 were 17 to 18 year olds and 1,212 were 15 year olds). Most were males charged with property offenses.

About 100 officers and prosecutors statewide were trained in 2009 in *Effective Police Interactions with Youth*. EPIY is six hour training with the purpose of increasing the likelihood that interactions between police officers and young people will have positive outcomes, for all youth irrespective of racial or ethnic background. Evaluations of the trainings were extremely positive. Maine now has eight trained trainers giving us the capacity to train all Maine officers and others working with children in this arena. The JJAG has proposed a curriculum on working effectively with children and children of color to the Maine Criminal Justice Academy. If accepted the course will be mandatory for all officers.

Between 2007 and 2009 our detention rate increased from 814 to 1,209. The age of detention ranged from 11 to under 18 years with the highest numbers being for 17 to 18 year olds in 2007 (250) and for 16 year olds in 2009 (345). We saw a decrease in detention numbers in 2010 though more females were detained than males (784 and 234 respectively). The Juvenile Detention Alternative Initiative is expected to decrease the number of detentions for all children.

In 2010, Maine arrested 1,946 juvenile females and 4,546 males. Out of which 1,808 females were referred to a Juvenile Community Correctional Officer; where as 4,065 males were referred. Of the 1,808 female juveniles 784 were placed in detention and for males 234 were placed in detention. In 2010, 827 juvenile females cases were petitioned, with 431 adjudications and 2,445 males were petitioned; with 1,411 adjudications. For females 167 and 632 males were placed on probation; where as 67 females and 354 males were put into commitment (confined).

Our Long Creek Youth Development Center implemented Trauma Affect Regulation: Guide to Education and Training (TARGET) in the girl's unit in 2010 with great success. The Division of Juvenile Services implementation begins in juvenile community corrections in August of 2012.

The number of diversions increased between 2007 and 2009 (2,448 to 3,001) and decreased in 2010 (2,527). Children in all age groups were diverted more in 2007 and 2009. In 2010 decreases in diversion were seen in all of the age groups. Again most were males. The type of offense with the highest numbers changed between 2007 and 2009/2010; property in 2007 and drugs/alcohol in 2009 and 2010. Again the JDAI will increase the number of diversion opportunities.

Cases petitioned to court decreased from 2007 to 2010 from 3,445 to 3,272. In all three years the 17 to 18 year old group were petitioned most, but we saw a decrease in 2010 (1,199 in 2007, 1,202 in 2009 and 1,124 in 2010). Again most were males (In all three years there were 10,035 children petitioned and 7,565 of them were males.). Property offenses ranked highest in all three years.

Rates of adjudication decreased with 1,861 in 2007 and 1,842 in 2010. Again 17 to 18 year old males were adjudicated most and for property offenses. We saw one ten year old adjudicated in 2009.

The number of children assigned probation decreased between 2007 (916) and 2009 (789) and increased slightly in 2010 (799). Once again most were males (722 in 2007, 632 in 2009 and 632 in 2010) and the offense was property (507 in 2007, 623 in 2009 and 410 in 2010).

Commitments to a juvenile development center increased in all three years (336 in 2007, 404 in 2009 and 421 in 2010). The highest numbers were, again, males in the 17 to 18 year old group for property offenses. (See appendix ii for data.)

The percentage of children participating in MaineCare (Medicaid) in 2011 was 48.0%. Equally as high with 46.1%, was the amount of school children that were eligible for subsidized school lunch in 2012. The percentage of children receiving Food Supplement Benefits (formerly food stamps) in 2011 was 27.6%. And in 2011 there were 8.7% of Maine children receiving Temporary Assistance for Needy Families (TANF).

The Juvenile Detention Alternative Initiative will have an impact on all decision points in the system; some more than others. With the Juvenile Justice Advisory Group's (JJAG) work in and with the Juvenile Justice Implementation Council (members of which include education, corrections, courts, mental health and others) our expectations are high. The dedication of these folks in this economic climate is remarkable.

Maine has three Indian reservations that perform law enforcement functions. While we do not receive juvenile justice data from them we have had the opportunity to provide education and funding to improve their system. The JJAG has funded each for diversion programming, juvenile caseworkers and juvenile court improvement. The Division of Juvenile Services at the Department of Corrections works closely and collaboratively to keep offer the right programming for Native children in the State system. JJAG funding brought Judge Ted Rubin, a juvenile court and restorative justice expert, to Maine tribes to better develop an effective juvenile court.

Maine is fortunate to have several collaborating groups working to improve children's lives. JJAG members are key players in each of these groups: Shared Youth Vision Council and District (regional) Councils whose membership includes education, children's health, corrections, labor and works on issues relating to all those disciplines; Juvenile Justice Implementation Council, which works to improve graduation rates, decrease detention rates and develop community programs for children in the juvenile justice system; Office of Substance Abuse Advisory Group, Enforcing Underage Drinking Laws Advisory Group, Moving Forward which is working to implement the Transition to Independence model, an evidence-based model which emphasizes youth-directed planning and development of practical skills to enable homeless and disconnected children to become independent; and Truancy, Dropout and Alternative Education Advisory Committee.

d. State Priority Juvenile Justice Needs/Problem Statements

1. Reduction in funding

The steady reduction in funding has severe implications for prevention and intervention programs funded by the JJAG. We have prioritized our work and will work on improving the juvenile justice system. We will likely have very little funding for delinquency prevention and school programs.

2. Diversion/Detention

The State of Maine is a Juvenile Detention Alternative Initiative (JDAI) site sponsored by the Annie E. Casey Foundation. In other states that program has focused on reducing the need for detention of juvenile in secure setting by providing alternative treatment programs and residential alternatives. Maine has been working on reducing detention of juveniles for a number of years and has been able to reduce that number by 22% more or less. While there is still some work to be done in that regard, the JJAG intends to focus the majority of its efforts through the JDAI process on reducing the number of juveniles who are committed in secure detention at the two youth development centers. The JJAG will assess the potential of programs and residential facilities in the community, some secure and some not, which may serve as an alternative to initial commitment to a youth development center, and as a way to provide a quicker and more effective transition of juveniles out of the youth development centers.

The Juvenile Justice Advisory Group, in an effort to facilitate the diversion of juveniles out of the criminal justice system, supports the implementation of restorative practices in the State of Maine. Restorative Practices is a holistic philosophy which consists of the accountability and reintegration of the juvenile offender, is victim focused, and repairs the harm done. Restorative practices are viewed by the JJAG as a successful, practical, and fiscally responsible method of accomplishing the juvenile justice task force recommendations of increasing graduation rates, reducing expulsion and suspension rates, and developing alternatives to detention. Four key areas of focus for the implementation of restorative practices in Maine are program development in schools and communities, education of the public in restorative practices, public advocacy to initiate legislative and justice system support for the promising practice, and lastly as a methodology of managing and leading communities in both the public and private sector. The implantation of restorative practices is consistent with the mission and purpose of the JJAG as well as the OJJDP. The facilitation of Restorative practices in Maine is also consistent and useful in meeting the JJAG's/OJJDP's requirements to reduce Disproportionate Minority Contact.

The JJAG is committed to examine the issues of girls/females in the system. The number of girls who are being detained and confined is increasing. In 2010 more girls than boys were detained (784 and 234 respectively). An analysis of those

detention decisions demonstrates that some girls are being detained who have been determined to be at a lower risk level for continued criminality than boys who are not being detained.

3. Disproportionate Minority Contact (DMC)

Maine's 2010 data indicate that 20.7% of children arrested by police were Black/African American. The Office of Juvenile Justice and Delinquency Prevention data indicate that there are 273,533 children under the age of 18 in Maine with 3,081 self identified as being Black/African American. Black African/American children make up 1.12% of the population of Maine children under the age of 18.

Further, our trend data indicate that minority children move through the system at rates not equal at all to non-minority children. (See Appendix ii)

The DMC work began in earnest in 2005 and has steadily made progress in learning at what decision points in the system (See Appendix iii) are disproportionate, minority to non-minority. This work continues.

The justice system, from police to judges, is becoming aware of the issue. All players are in need of training: adolescent brain development, effective interactions with minority youth. Our immigrant and refugee families and communities need to learn how the system works so they understand what is happening.

Providers must collaborate with one another so that there is no duplication of efforts.

Lastly children of color must be included in all discussions around DMC.

4. Keeping Children in School

Far too many children are disconnected from school. The latest Department of Education data tell us that 16% of students in the 2003/2004 school year were expelled; out of 96,858 students 151 were expelled. The 2010 graduation rate for all Maine schools was 82.82% (a decrease over 2009, 89.40%). Public schools 79.82% graduates. The dropout rate for the same year was 3.46% with public schools showing 3.63%. The disturbing fact in these rates is that the dropout rate rose from 3.42% for all schools in 2009. (Appendix iv)

Where are the expelled and dropout children? Does our juvenile justice data tell us?

Over the past nine years Maine has been implementing Dr. Ross Greene's Collaborative Problem Solving (CPS) in our two juvenile facilities, juvenile community corrections, and 19 schools. Qualitative data indicates that this model

of working with children is beneficial to both the child and adult. The core of CPS understands that some challenging youth behavior can be attributed to what Dr. Greene describes as “lagging skills and unsolved problems.” A careful inventory of these challenges provides vital information needed to understand and help to change the child’s behavior.

In a two year project our evaluation indicates that forty percent of Sanford School District staff members were trained in CPS. School administrators reported that anywhere from 30 to 100% of staff had attempted using CPS and anywhere from 10 to 85% of staff regularly used CPS. Many staff members participating in the focus groups had experienced positive outcomes using CPS.

The number of reported prohibited behaviors decreased in each of the prohibited behavior categories as well as decreases in disciplinary action such as detention, in school suspension and out of school suspension in a middle and elementary school.

This was particularly true with lesser aggressive behaviors, incidents where teacher discretion may provide the opportunity for CPS. Two participating schools saw marked increases in the use of conferences as a disciplinary action, an indication of using CPS to address problem behavior instead of relying on traditional punishments.

At the middle school, the number of aggressive behaviors decreased by 42.6%. The number of lesser aggressive behaviors decreased by more than half (56.8%) at one school and 45.7% at another. The middle school reported the largest decrease, 51.5%. The number of serious truancy incidents declined by 45.36%. The use of out-of-school suspensions decreased by 42.5%. The middle school saw the biggest decrease, 75%.

The final report for this project suggests that the results of the evaluation appear to indicate a relationship between the adoption of CPS and positive outcomes such as decreases in incidents of prohibited behavior and disciplinary actions.
(Collaborative Problem Solving Evaluation Report, 2009)

The goal of the JJAG is to have CPS in all Maine schools. There are more than 20 schools currently using this approach. Between 2012 and 2014 the number of schools will triple and the juvenile justice system will use the approach (police, prosecutors, defense attorneys).

5. The JJAG remains committed to advocating for the rights of Juveniles and strongly contending that they be exempt from any law requiring participation in a national web-based public registry such as that contemplated in the Adam Walsh Act. We

believe that juveniles who engage in sexual offending behavior should not be treated in the same fashion as adults who engage in those offending behaviors.

e. Plan for Compliance With the First Three Core Requirements of the JJDP Act and the State's Compliance Monitoring Plan

(1) Plan for Deinstitutionalization of Status Offenders (DSO).

Pursuant to Section 223(a)(11) of the JJDP Act, the state must develop a plan that provides status offenders and nonoffenders are not placed in secure detention or secure correctional facilities except as allowed under the exceptions set forth in Section 223(a)(11)(A).

The following indicates shows the number of DSO violations at jails, lockups and juvenile detention/correctional facilities in Maine for the years 2009 to 2011. All violations were the result of a juvenile runaway or nonoffender having been securely detained.

Violation(s)	Year		
	<u>2009</u>	<u>2010</u>	<u>2011</u>
Status Offenders and Nonoffenders detained in jails and lockups	0	1	2
Status Offender held over 24 hours (not including weekends or holidays) and Nonoffenders detained in juvenile detention centers	0	0	0
Status Offenders detained without the benefit of the Valid Court Order (VCO)	0	0	0
<u>TOTAL</u> (Adjusted)	0	1.71	5.05
<u>Rate</u> (per 100,000)	0	0.61	1.84

As indicated in the table above, Maine has achieved substantial compliance over the years, due in part to the following MAINE CRIMINAL STATUTES:

**CHAPTER 505
ARREST AND DETENTION**

§ 3201. Warrantless arrests

1. Warrantless arrests. Arrests without warrants of juveniles for juvenile crimes defined by section 3103, subsection 1, paragraphs A, E, F, G and H by

law enforcement officers or private persons must be made pursuant to the provisions of Title 17-A, sections 15 and 16. For purposes of this section, a juvenile crime defined under section 3103, subsection 1, paragraph H is deemed a Class D or Class E crime. A law enforcement officer or private person may not arrest a juvenile for a juvenile crime defined by section 3103, subsection 1, paragraph B or C.

§ 3203-A. Arrested juveniles; release; detention; notification

4. Release or detention ordered by juvenile community corrections officer.

The release or detention of a juvenile may be ordered by a juvenile community corrections officer as follows.

D. *Detention of a juvenile in a detention facility may be ordered by the Juvenile Court or a juvenile community corrections officer when there is probable cause to believe the juvenile:*

(1) *Has committed an act that would be murder or a Class A, Class B, or Class C crime if committed by an adult;*

(2) *Has refused to participate voluntarily in a conditional release placement or is incapacitated to the extent of being incapable or participating in a conditional release placement;*

(3) *Has intentionally or knowingly violated a condition imposed as part of conditional release on a pending offense or has committed an offense subsequent to that release that would be a crime if committed by an adult;*

(4) *Has committed the juvenile crime that would be escape if the juvenile was an adult;*

(5) *Has escaped from a facility to which the juvenile had been committed pursuant to an order of adjudication or is absent without authorization from a prior placement by a juvenile community corrections officer of the Juvenile Court; or*

(6) *Has a prior record of failure to appear in court when so ordered or summonsed by a law enforcement officer, juvenile community corrections officer or the court or has stated the intent not to appear.*

CHAPTER 511

INTERIM CARE; RUNAWAYS

7. Interim care, restriction on placement and transportation

A. *A juvenile taken into interim care may not be placed in a jail or other secure detention or correctional facility intended or used to detain adults accused or convicted of crimes of juveniles accused or adjudicated of juvenile crimes.*

Strategies:

The Maine Division of Juvenile Services is centralized within the Department of Corrections (Designated State Agency). In order to achieve full compliance, the Juvenile Justice Advisory Group (State Advisory Group) Compliance Monitor, working under the authority (Maine Title 34-A) of the Department of Corrections, will ensure that Juvenile Community Corrections Officers and local law enforcement are properly educated on these laws and do not wrongfully detain a status or nonoffender.

(2) Plan for Separation of Juveniles from Adult Offenders.

Pursuant to Section 223(a)(12) of the JJDP Act, the state must develop a plan that provides juveniles alleged to be or found to be delinquent and status offenders shall not have contact with an individual who has reached the age of full criminal responsibility under the applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge or is convicted of a criminal offense.

The following table indicates the number of Separation violations at jails, lockups, juvenile detention/correctional centers, and the lone collocated facility (Charleston/MVYDC) in Maine for the years 2009 to 2011.

Violation(s)	Year		
	<u>2009</u>	<u>2010</u>	<u>2011</u>
Separation in adult jails	0	0	0
Separation in adult lockups	0	0	0
Separation in juvenile detention/correctional centers	0	0	0
<u>TOTAL</u>	0	0	0
<u>Rate</u> (per 100,000)	0	0	0

As indicated in the table above, Maine has achieved full compliance over the years due in part that separation is required through the following MAINE CRIMINAL STATUTES:

CHAPTER 505

ARREST AND DETENTION

§ 3203-A. Arrested juveniles; release; detention; notification

7. Restriction on place of detention. *The following restrictions are placed on the facilities in which a juvenile may be detained.*

A. *A juvenile may be detained in a jail or other secure detention facility intended for use or primarily used for the detention of adults only when the serving facility:*

(1) Contains an area where juveniles are under direct staff observation at all times, in a separate section for juveniles that complies with mandatory sight and sound separation standards established by the Department of Corrections pursuant to Title 34-A, section 1208;

B. Separate nonsecure custody; detention. *When a juvenile who is being held in nonsecure custody or is being detained pursuant to this section is transported to or from court or to or from a juvenile facility or is being held in a court holding area awaiting court proceedings, the juvenile must be separated by sight and sound from any adult detainee.*

Strategies:

With the support of the SAG, the Compliance Monitor has introduced an initiative to have all local law enforcement agencies authorize a holding section within their policies consistent with that of the aforementioned state laws. Additionally, the Department of Corrections has adopted Policy 21.4 – PHYSICAL PLANT AND RESIDENT HOUSING REQUIREMENTS (see attachment #8) to likewise require that separation be adhered to at the Charleston/MVYDC facilities.

(3) Plan for Removal of Juveniles from Adult Jails and Lockups.

Pursuant to Section 223(a)(13) of the JJDP Act, the state must develop a plan that provides no juvenile shall be detained or confined in any adult jail or lockup, except as *OJJDP's Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002 (revised January 2007)* allows.

The following table indicates the number of Removal violations at jails and lockups in Maine for the years 2009 to 2011. The geographic population disparity in northern Maine has at times resulted in the inappropriate usage of the 'rural exception.' In years past, the majority of these violations occurred after a detention had been authorized by a JCCO to an approved (rural exception) facility; however not for an initial court appearance.

Violation(s)	Year		
	<u>2009</u>	<u>2010</u>	<u>2011</u>
<u>TOTAL</u> (Adjusted)	3	15.99	5.05
<u>Rate</u> (per 100,000)	1.09	5.72	1.84

As indicated in the table above, Maine has achieved substantial compliance over the years, due in part to the following MAINE CRIMINAL STATUTES:

CHAPTER 505

ARREST AND DETENTION

§ 3203-A. Arrested juveniles; release; detention; notification

B-5. *If the juvenile community corrections officer who ordered the detention or the attorney for the State who ordered the detention determines there is no reasonable alternative, a juvenile may be detained in a jail or other detention facility intended or primarily used for the detention of adults for up to 48 hours, excluding Saturday, Sunday, and legal holidays, if:*

- (1) The facility meets the requirements of paragraph A;*
- (2) The facility is not located in a standard metropolitan statistical area and meets the statutory criteria contained in the federal Juvenile Justice and Delinquency Prevention Act of 1974, 42 United States Code, Section 5601; and*
- (3) The juvenile is detained only to await a detention hearing pursuant to subsection 5 or section 3314, subsection 2.*

§ 3205. Juvenile in adult-serving jail

1. Generally. *A juvenile may not be committed to or detained or confined in a jail or other secure detention facility intended or primarily used for the detention of adults, except when bound over as an adult or as provided in section 3203-A, subsection 1, paragraph B-1 or section 3203-A, subsection 7. A juvenile who is detained in a jail or other secure detention facility intended or primarily used for the detention of adults may be detained only in a section of a facility that meets the requirements of section 3203-A, subsection 7, paragraph A, unless bound over as an adult and held in an adult section of a facility pursuant to court order.*

Strategies:

On 11/01/2011 a memorandum was issued by the SAG Compliance Monitor to the applicable Jail Administrators (Aroostook, Washington and Oxford) and the Regional Correctional Administrator (Region 3) of the DSA (Department of Corrections). The memorandum outlined the restrictions and proper use of 'rural exception.' Following the memorandum, a meeting took place. Those in attendance included applicable SAG and DSA members. The meeting was intended to ensure proper understanding and execution of the content within the memorandum. There have been no confirmed Jail Removal violations since.

e. Plan for Compliance Monitoring for the First Three Core Requirements of the JJDP Act.

Pursuant to Section 223(a)(14) of the JJDP Act, the state must provide for an adequate system of monitoring jails, lockups, detention facilities, correctional facilities, and non-secure facilities to

ensure that the core protections are met. The Compliance Monitor, Ryan Andersen, will monitor for compliance. The Compliance Monitor position is a full-time.

(1) Policy and Procedures. (Policy and Procedure Manual)

(2) Monitoring Authority. (See attachment #9)

(3) Monitoring Timeline. (Policy and Procedure Manual, pg 86-91)

(4) Violation Procedures. (Policy and Procedure Manual, pg 18)

(5) Barriers and Strategies.

The barriers begin with the staff turnover in the Compliance Monitor position over the last four years. Interpretation of the JJDP Act had fluctuated vastly and delivered to local law enforcement inconsistently. An additional barrier is compliance monitoring requirements being delegated to a single person. Geographically Maine is expansive and travel is not only limited to land; there are multiple island locations included in the Maine Compliance Monitoring Universe. This geography coupled with weather can make for unpredictable travel conditions six months out of the year.

A strategy that exists is using the foresight that prior and current state government officials had when passing State Legislation. When examined, it is evident that many provisions in Maine Juvenile Code were instituted to ‘mirror’ the JJDP Act. So, although some law enforcement administrators may not recognize the regulations within the Act, those regulations nevertheless exist within state law with few exceptions.

(6) Definition of Terms. (Policy and Procedure Manual, pg 5)

(7) Identification of the Monitoring Universe. (Policy and Procedure Manual, pg 87)

(8) Classification of Monitoring Universe. (Policy and Procedure Manual, pg 27)

(9) Inspection of Facilities. (Policy and Procedure Manual, pg 45)

(10) Data Collection and Verification. (Policy and Procedure Manual, pg 40)

(11) Plan for Compliance with the Disproportionate Minority Contact (DMC) core Requirement

Pursuant to Section 223(a)(22) of the JJDP Act, states and territories must address specific delinquency prevention and system improvement efforts to reduce, without establishing or

requiring numerical standards or quotas, the disproportionate number of juvenile numbers of minority groups who come into contact with the juvenile justice system. DMC exists if the rate of contact with the juvenile justice system of a specific minority group is significantly different than the rate of contact for non-Hispanic whites or other minority groups.

The purpose of this core requirement is to ensure equal and fair treatment for every youth (regardless of membership in a minority or majority population group) involved in the juvenile justice system. A state achieves compliance with this core requirement when it meets the requirements set forth in Formula Grants Consolidated Regulation 28 C.F.R. Part §31.303(j). These include addressing DMC continually through identification (identify the extent to which DMC exists), assessment (examine and determine the factors that contribute to DMC, if it exists), intervention (develop and implement strategies to reduce DMC), evaluation (evaluate the efficacy of implemented strategies), and monitoring (track changes in DMC trends over time).

The Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002 requires states participating in the Formula Grants Program to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system” (section 223 (a)(22)). The Office of Juvenile Justice and Delinquency Prevention (OJJDP) requires States to carry out five phases or core strategies to satisfy this mandate:

- Identification – to determine the extent to which Disproportionate Minority Contact (DMC) exists;
- Assessment – to assess the reasons for DMC, if it exists;
- Intervention – to develop and implement intervention strategies to address these identified reasons;
- Evaluation – to evaluate the effectiveness of the chosen intervention strategies;
- Monitoring – to note changes in DMC trends and to adjust intervention strategies as needed (<http://www.ojjdp.ncjrs.org/dmc>).

This summary provides updates on the actions taken this year, lists the highlights of Maine’s strategic plan to address DMC (including detailed recommendations). It also proposes a timeline for implementing action steps during the three-year period, July 1, 2012 – June 30, 2015.

a. Updated DMC Identification Spreadsheets (Appendix v)

**b. DMC Data Discussion
(Relative Rate Index Analysis Tracking Sheet Appendix vi)**

1. Maine has quantifiable DMC documentation

2. Relative Rate Indices Discussion

Challenges to measuring DMC in Maine are driven by the diversity of population characteristics in each county, and how those characteristics in turn limit DMC analysis. Statewide analysis is not appropriate because it would not produce accurate or meaningful results. Because counties vary greatly in population size and demographic make-up, a statewide RRI would likely overstate or understate DMC.

A major challenge in measuring DMC in Maine is that it is a rural, predominantly white state. Because of this, numbers are often too small to provide meaningful analysis. In certain counties, specific minority groups typically do not represent the minimum 1% of a county population. When they do, there are often insufficient numbers of incidents for analysis. As a result, RRIs cannot be calculated for each minority group in each county in the state. In most counties, few if any RRIs can be calculated for any specific group. Counties with few or no RRIs are not included in this report.

In order to increase the number of counties for which analysis can be conducted, all minorities were treated as one combined group. Additional analysis was provided if one minority group met the population and incident minimums consistently across years for at least one decision point. A concern with this strategy is similar to the reason statewide RRIs are not calculated: One overall minority group may mask DMC that is occurring within one specific group. For example, research shows that Asian juvenile contact rates tend to be lower than those of white youth, while Black/African American youth contact rates tend to be higher. Thus, an overall rate may not accurately portray what is actually occurring. Where numbers are sufficient for analysis, specific minority groups are examined.

For each county with sufficient data for analysis, RRIs are calculated and reported for a combined minority group. In some counties, data is sufficiently available for separate examination of specific minority groups.

Another challenge to measuring DMC in Maine is that the year to year RRI fluctuations may be driven by minor changes in the number of incidents. A slight decrease in incidents committed by white youth coupled with a slight increase in the number of incidents committed by minority youth could produce a marked shift in RRI. This may not illustrate disproportionate minority contact, but rather a serious limitation in conducting small number analysis.

Finally, while Maine is predominantly white, it is becoming increasingly diverse at a noticeable rate, particularly with respect to increases in immigrant populations in Androscoggin and Cumberland Counties. Until this time, there are no methods available to quantitatively examine the existence and extent of disparity in the minority immigrant population, compared to the broader minority population.

The counties examined are:

- Androscoggin County: All minorities; Black/African American
- Aroostook County: All minorities
- Cumberland County: All minorities; Black/African American
- Kennebec County: All minorities
- Penobscot County: All minorities
- York County: All minorities

Phase II: Assessment/diagnosis

- a) *Research: DMC Assessment and Identification* a report on the status of DMC in Maine was released and describes work completed in 2009 and an update (2010 Update) to the report was made public in 2011. The report, authored by the Justice Policy Program at the Muskie School of Public Service, is available at www.mainejjag.org
- b) The report presents a quantitative 3-year trend analysis (2005-2007) and initial findings from a qualitative assessment project which begin to describe Maine's challenges and opportunities for improving the juvenile justice system's ability and preparedness to handle these population changes.
- c) An update (2010 Update) has been made to this report that reflects data until 2009.
- d) Currently, efforts are underway to support the quantitative data with qualitative data. This effort is spearheaded by the Muskie School in partnership with three Police Departments in the Cumberland County.
- e) This trend analysis allowed Maine to proceed to the assessment of the underlying issues and causes found in those trends. The University of Maine School of Law, in partnership with the JJAG and Muskie School, conducted a first phase of this assessment using interviews of system stakeholders.
 1. A random selection of Police Officers from Portland Police, Westbrook Police and South Portland Police has been interviewed along with Chiefs of Police from each department. Additionally, random arrest files have been reviewed and analyzed for statistical trends as per IRB regulations.
 2. Judges, district attorneys, defense attorneys, school resource officers (SRO) and juvenile community corrections officers (JCCO) in the largest urban centers were interviewed to learn what they perceive as most important in determining the amount of minority contact.
 3. The study results suggest that DMC in Maine stems in large part from the difficulty of adjusting the system to a large recently arrived community of non-English speakers and responding to the traumatic impacts of displacement and violence in their countries of origin.

Phase III: Intervention

a. Progress made in FY 2011

1. *Diverse stakeholder committees and advisory councils:* JJAG successfully invited diverse stakeholders to join the Cumberland County Committee (CCC) and the Youth Advisory Council (YAC). The purpose of these two groups to engage supportive stakeholders through a constructive process and to develop collaborative efforts to address DMC in Maine. These committees/councils have been very active and have played a pivotal role in the success of the DMC efforts in Maine. The DMC Cumberland County Committee comprises of three active workgroups –
 - i. Systems Improvement Workgroup
 - ii. Youth and Families Empowerment Workgroup
 - iii. Diversions Workgroup
2. *DMC Youth Advisory Council (YAC):* JJAG has established a Youth Advisory Council at the local juvenile correctional center Long Creek Youth Development Center (LCYDC). This Youth Advisory Council has been brought together exclusively to support the DMC efforts in the region and to function in an advisory capacity to the JJAG in Maine. This is indeed a great step in creating an inclusive and accountable system to help youth in an informed manner. Apart from regular meetings with the youth to engage their input in various DMC efforts, youth have also played a vital role as key partners in developing the DMC Strategic Plan each year which has been a value added on every front. One of the major accomplishments of the YAC this year has been their contribution in improving the “Notice to Interview” letter that is send out to parents by JCCOs. The YAC partnered with the Systems Improvement Workgroup to change the contents significantly so the letter would be a more accessible document.
3. *Meeting Chiefs of Police of three major cities:* The Juvenile Justice Specialist and the DMC Coordinator have continued to meet with the Chiefs of Police in Portland, South Portland and Westbrook. These are key cities in the county where there are higher numbers of minority youth. The purpose of the meetings was to build on the partnership that was initiated in the previous year to enhance the DMC efforts in Maine. In particular, the protocol for the qualitative analysis was established. Having a strong relationship with the Chiefs of these police departments is a key measure as the data indicates higher numbers of minority youth and higher incidence of encounters with law-enforcement and the Juvenile Justice system. This strategic partnership has also paved the ways for any future collaboration to address DMC.
4. *Research: DMC Qualitative Assessment and Identification:* Initial findings from the 2009 and 2010 data and from the qualitative assessment project, clearly describe Maine’s challenges and opportunities for improving the juvenile justice system’s ability and preparedness to handle these population changes. At which point JJAG had committed to understand current data by deepening the research and to identify gaps in the system through a comprehensive qualitative data research project. In order to understand the trends in the quantitative data it became imperative for JJAG to initiate a qualitative research project that would explain trends and factors leading

to arrests and to encounters with law-enforcement. This research project is currently underway. It has involved case reviews of law enforcement files of three police departments in Cumberland County and to analysis of such data. The summary of conclusions will be completed by June 2012.

5. *Cumberland County Committee (CCC) strategic plan:* One of the biggest successes of this year has been the development of a comprehensive strategic plan that has created a path to address DMC in Maine. It was a significantly important process as a third of the participants were incarcerated youth from Long Creek Youth Development Center (members of the DMC Youth Advisory Council) who took part in both days of the strategic planning process and contributed significantly to the development of the plan along with representatives from the Courts, Law Enforcement, Corrections, members of Maine JJAG and members of the DMC Committee. As a result of the strategic plan, the DMC Cumberland County Committee developed three workgroups which have been working actively to address and prevent DMC in Cumberland County through very thoughtful and strategic approaches –
 - i. Systems Improvement Workgroup
 - ii. Youth and Families Empowerment Workgroup
 - iii. Diversions Workgroup
6. *LCYDC Minority Youth Support group:* JJAG has established a minority youth support group at the LCYDC. This group is facilitated by a trained facilitator and meets every other week to discuss opportunities and challenges and to support each other in constructive development and engagement as youth of color. This group has been very effective in helping the youth at LCYDC by providing a platform to discuss issues, concerns and challenges related to race and ethnicity while celebrating their unique identities
7. *“Effective Interactions with Youth” Police Training* – In the previous year, 27 Police officers from across the state were trained in “Effective Police Interactions with Youth” which is a signature DMC reduction training for Police Officers developed by the Connecticut JJAG. Additionally, nine police officers from across the state were also trained as trainers. The current goal is that a few of the trained officers along with newly trained officers will offer regional trainings to other police officers next year and that they will do so on an annual basis.
8. *Congolese + Sudanese community:* Last year, the JJAG and its DMC Committee had embarked on a journey to establish intimate and comprehensive partnerships with the Congolese and Sudanese in Maine as youth from these communities have had high contact with the JJ system at all points of contact. The DMC Committee has met several times with representatives the Congolese and Sudanese communities already. It has taken us a year to get the needed momentum as it involved getting the community leaders to understand the relevance of such partnerships and to willingly

embrace the reality of this partnership. The leadership of the Congolese and Sudanese Communities will be participating in specialized trainings on the JJ System and will be trained as trainers so they can continue to train others in their respective communities. The training curriculum will be developed by the DMC Committee in partnership with each community in a manner that is relevant to and tailored to each community's needs.

9. *Partnering with the JDAI initiative*: the JJAG has been partnering with the JDAI initiative in Maine. In addition to sharing the data that has been compiled so far, members of JJAG have participated in the JDAI workshop to establish common paths between the JDAI initiative and the DMC efforts in Maine. Additionally, four members of the DMC Committee have attended the JDAI national workshop in Houston earlier this year in an effort to strengthen the partnership and to understand the JDAI approach further.
10. *Open Court House*: The JJAG partnered with the City of Portland's Refugee Services program and the Cumberland Courts to coordinate the first ever COURT OPEN HOUSE for members of Refugee communities and providers who work with them. The purpose of this open house was to create a sense of familiarity with the courts in a non-threatening and proactive manner AND to increase the awareness of the court systems (especially for refugee families who experience courts as not worthy of trust based on their experiences of courts in their native countries).
11. Finally, as a result of recommendations of the DMC Strategic Plan that was developed jointly by members of the JJAG Sub-Committee, the Cumberland County Committee and the Youth Advisory Council (which was informed by the series of town-hall meetings conducted the previous year with refugee parents, families + leaders and with providers), each strategic workgroup have been working –
 - i. To identify barriers to diversions
 - ii. To develop a directory of resources for diversions
 - iii. To develop stakeholder specific trainings
 - iv. To explore mentoring opportunities for youth who are getting ready to be released
 - v. To bridge the gap between incarcerated youth and employment opportunities through skill building.

Phase IV: Evaluation

Intervention strategies should be evaluated, both to encourage accountability and to assure the effectiveness of intervention efforts. This can be accomplished in a variety of ways. Successful interventions will hopefully reduce DMC, and this will be reflected in data compiled for identification (and monitoring) purposes (it is possible, however, that DMC may initially appear to rise as data quality improves). A variety of evaluative methods might be considered, such as surveying or interviewing members of community stakeholders groups and participants in intervention programs. Evaluating intervention strategies should be an integral part of DMC

intervention strategies, and the DMC Coordinator can provide technical assistance with evaluation design or implementation. The DMC Coordinator will work with the Muskie School to develop a scale for evaluating interventions and effectiveness of DMC efforts.

Performance Measures to be used:

- I. Number of DMC related activities implemented
- II. Number of youth served and/or engaged.
- III. Number of state agencies reporting improved data collection
- IV. Number and percent of program youth who offend or reoffend
- V. Number and percent of program youth exhibiting desired change or increased interest to engage
- VI. Number and percent of program youth completing program requirements
- VII. Number of contributing factors determined from assessment studies
- VIII. Number of contact points reporting reduction in disproportionate contact
- IX. Number and percent of recommendations that have been implemented

Phase V: Monitoring

As previously indicated, OJJDP requires reporting of DMC identification data only every three years, but annual data collection and RRI calculations will permit earlier detection of DMC and the development of appropriate interventions. Since Maine numbers are relatively small compared to most other states, Maine has been monitoring data through cumulative RRI and this approach has been very helpful in understanding trends in a better manner. As specified in the Intervention and Evaluation sections, interventions will also be monitored for program effectiveness and evidence of additional problem areas that might point to a need for new identification, assessment, and/or intervention strategies. Monitoring is done by our half-time DMC Coordinator with support from the full-time Juvenile Justice Specialist.

DMC Reduction Plan for FY 2012-2014

- b. Maine continues to prioritize the following three areas to work on for the coming year
 1. Assessment: There continues to be the need to assess Maine's data to build more informed systems that help to address DMC
 2. Awareness: There is still a significant need to increase awareness on DMC in the state and to increase awareness on contributing factors (especially among parent and families)
 3. Engagement: Maine is working towards a collaborative approach in addressing and preventing DMC in the state. This requires engaging key stakeholders
- c. Strategic Action Plan: "Diversions" and "Families + Communities" were identified as key areas to work on within the priorities - "Awareness" and "Engagement." Three action

steps have been assigned to each priority. The DMC Strategic Planning committee developed an action plan (with clearly defined benchmarks and deadlines).

What?	Why?	How?	Who?	When?
<u>Diversions:</u> Start a DMC committee to address Diversions	1. This will help commit a group to understand the barriers to Diversions and to identify opportunities in a more in-depth manner	1. The Committee will meet once a month by phone. 2. Each month, the committee will explore one or two barriers to Diversions 3. In May + June, the Committee will make recommendations that will help to increase Diversions	Colin O'Neill + Daryl Fort (leads) Bear Shea Benjamin Love Christine Thibeault Janine Roberts (assignee) Ned Chester Mike Mack	Every second or third Friday of each month
<u>Diversions:</u> Special training on Detention and Diversions for local Police departments	1. To increase the awareness of Police Officers on the various challenges (practical and cultural) connected to Detentions and Diversions 2. To engage and to empower Police officers as more effective partners	1. Curriculum focusing on Detentions and Diversions to be developed for a two hour training 2. Trainings will be offered in Portland/South Portland 3. Noel will set up the trainings by partnering with the police departments in Auburn/Lewiston, Portland, South Portland + Westbrook	Mike Mack (lead) JCCOs as trainers	First training in January Second Training in April
<u>Youth and Families empowerment:</u> Trainings for families, youth + community leaders – “ Diversions and Juvenile Justice 101 ”	1. To educate families and their communities about the Juvenile Justice system 2. To empower parents, youth and community leaders to take informed decision 3. To leverage the opportunities in the system by becoming familiar	1. Curriculum focusing on ‘Police, Courts + Corrections’ to be developed 2. Trainings will be offered at the community center in Portland’s Kennedy Park and Riverton 3. Noel will set up the meetings with the Somali community and with the Sudanese Community	Christine Thibeault + Ned Chester (leads) Mike Mack Janine Roberts (assignee) Jeff Merrill	1. Offer a training each for the Sudanese and Somali communities 2. First training in February 3. Second training in May

	with them	4. Trainers will be representatives from the police departments, courts and corrections		
<u>Systems Improvement:</u> Overhaul and re-write the Interview Intake Letter	1. The current version of the letter is not an easy-to-understand document 2. There is a need to make the letter more accessible and more informative 3. The letter needs to explain how they (youth and families) can take advantage of the system that is in place	1. Meet with the youth at LCYDC at least two times 2. Identify key bits of information that need to be included in the letter 3. Identify parts of the current letter that need to be elaborated (or made more easy to understand) 4. Identify parts of the letter that need to be deleted	Mike Mack + Benjamin Love (leads) Jeff Merrill (assignee) John Coyne Pious Ali Residents at LCYDC	1. Meet with youth in January and February 2. New version of the letter completed by the end of March
<u>Youth and families empowerment:</u> Explore the possibility of “cultural liaisons” and/or “Core Cultural Mediator Group”	1. Time and again, the need for someone to be the liaison between the service provider and the client has been identified as a priority 2. A liaison or a mediator will help mitigate the challenges that arise from cultural differences 3. To explore the practical realities of having such liaisons	1. Meet via phone to identify current gaps and to identify opportunities 2. Meet at least three times for a minimum of two hours each time 3. Identify three approaches that are cultural and linguistically appropriate	Chris Northrop + Buzz Sawyer + Janine Roberts (leads) Teyonda Hall Kathryn McGloin Efrem Weldemichel Rilwan Osman Erica King	Recommend one or two approaches to the DMC Committee and to JJAG by April 2012 (meet three times via phone before April)

d. Activities as per the three priorities -

- i. We will continue with an assessment/diagnosis by gathering and analyzing data by year, decision point, race, gender and county from the Correctional information System (CORIS) and the Maine Department of Public Safety (DPS). This will allow identity of the contributing factors to minority over-representation and explain differences at all contact stages of the system.
- ii. The Muskie/UM Law/JJAG project will continue to gather qualitative data (as they are collecting from key Police Departments currently). They will then collect such qualitative data from the courts and from corrections.

- iii. We will combine the quantitative data from CORIS and DPS and the qualitative data from the Muskie/UM Law/JJAG project to develop targeted interventions across the region in partnership with key stakeholders
- iv. We will continue to engage minority youth in a comprehensive manner and engage the input of youth at every step possible, especially youth who have experience with the system.
- v. Continue to develop protocol for representation of minority youth in the system of decision-making.
- vi. Offer the “Racism” workshops for external stakeholders and participate in race and ethnicity trainings that are developed and offered by the Burn’s Institute.
- vii. The members of the Youth Advisory Council will present at a national and/or regional conference
- viii. Organize OPEN-HOUSES at Courts, Correctional Centers and at Law Enforcement Offices specifically for Youth and Families
- ix. Facilitate implementation of the 2012 Strategic Plan and facilitate the development of a state-wide plan for 2013.
- x. Connect youth with workforce council initiatives to develop skills and to increase the likelihood of employment
- xi. Engage the school department and high school students on an ongoing basis
- xii. The Systems Improvement workgroup will start addressing “re-entry” opportunities (or there lack of) as a priority
- xiii. Create opportunities for stakeholders to understand and learn about existing DMC
- xiv. Training
 - 1. Develop training modules and workshops that are in response to the needs identified
 - 2. Develop a training schedule will include a quarterly region wide DMC Workshop.

a. Timeline

- xv. DMC Sub-Committee: This Sub-committee of the JJAG in Maine meets every month on the second Tuesday (either by conference call or in person).
- xvi. Cumberland County Committee (CCC): This advisory committee to the JJAG's Sub-Committee on DMC will continue to meet once every quarter (June 2012, September 2012, January 2013, April 2013, June 2013)
- xvii. Youth Advisory Council at Long Creek Youth Development Center (LCYDC): The YAC will meet a minimum of six times in the upcoming fiscal year (August 2012, September 2012, December 2012, January 2013, March 2013, June 2013). The Youth Advisory Council at LCYDC will continue to build a comprehensive approach to engage the minority youth at LCYDC (Cumberland County's Juvenile Detention Center) in the DMC initiative in Maine.
- xviii. Research and data analysis: Our research partner, Muskie School of Public Policy, will continue the qualitative research phase in 2012-2013. The Muskie

school will also begin the interviews with minority youth and families (to be initiated by August 2012).

- xix. Stakeholder Town-Hall meeting: Continuing our series, we will organize three more Town-hall meetings or Open Houses in 2012/2013. One will be on Juvenile Review Boards and their potential in Maine (September/October 2012), another one will be for JCCOs and Law-enforcement officers on effective partnerships (December 2012/January 2012) and the last one will be for minority parents and families to increase their understanding of the Courts (March/April 2012)
 - xx. Trainings on Race/Ethnicity: At least four workshops/webinars will be offered on understanding AND asking the race and ethnicity. This will have a direct impact on the quality of data that exists across the state and also on the accuracy of the DMC data in Maine. These workshops/webinars will be offered in November 2012 and May 2013.
 - xxi. Increase access to data via the JJAG website: Resource materials (especially videos and other media tools to address DMC) will be posted on the JJAG website on an ongoing basis. Following which, the resources on the website will be updates as and when necessary. This will also include online resources for youth.
 - xxii. NEW ENGLAND DMC conference: Conduct a New England DMC conference in November 2012 in partnership with other New England states and New England JJAGs
 - xxiii. Strategic plan 2012 -2015: The DMC Strategic plan for 2012 to 2015 will build on the success of and on the lessons learnt from the current plan. The significant feature of the upcoming plan will involve the increase in the geographic area for the DMC effort in Maine.
- b. The JJAG will fund DMC efforts with the Title II Formula Grant in the amount of \$100,000 for delinquency prevention, intervention and systems improvement.

The following recommendations will be included in the three-year plan –

1. Recommendation 1:

Conduct "Open-houses" in partnership with Law Enforcement and Corrections (similar to what we are doing with the Courts) in 2013, 2014, 2015

a. Details:

These open houses will be more effective if we offered one for parents and one for youth (separately)

The Correctional open house will be hosted at Long Creek Youth Development Center (LCYDC)

Parent's handbook will be distributed at the Open House (at LCYDC)

A handbook of "Who's who" for Law Enforcement, Courts and Corrections will be developed

The "WHO'S WHO" handbooks will be distributed at the Open Houses

2. Recommendation 2:

Design and offer targeted trainings to community representatives so they may become DMC Liaisons (one or two trainings each year). "DMC Liaisons" will be members of the community who will be trained to become some sort of subject/content experts that community members can access as more trusted persons when compared to staff from law enforcement, courts and/or corrections

a. Details:

Department Of Corrections will be included in this process (of curriculum development)

The Refugee clinic that will be launched at the law school will have a key role to play (in training and supporting community liaisons)

The Law School/Refugee Legal Clinic will offer students who could get involved with this effort on an ongoing basis

3. Recommendation 3:

Conduct second Cumberland County strategic planning process in 2012 (Fall)

a. Details:

The strategic planning will begin in the second week in September 2012

This process will draw a plan for the next three years based on the recommendations submitted to OJJDP and based on input received from key stakeholders, especially the youth at LCYDC.

4. Recommendation 4:

Conduct an evaluation of Cumberland County re-entry opportunities for youth (Winter 2012 and Spring 2013)

a. Details:

This state-wide effort will bring county-wide stakeholders to initiate long-term planning for effective re-entry programs and efforts for juveniles

5. Recommendation 5:

Conduct state wide strategic planning process in 2012 (Fall and Winter)

a. Details:

This state-wide effort will bring statewide stakeholders (Aroostook, Washington, Androscoggin, Cumberland and York counties)

This will be a proactive effort to initiate long-term planning for spreading the DMC efforts across the state

Possible launch of DMC efforts in Androscoggin County in 2014 (Spring)

g. Coordination of Child Abuse and Neglect and Delinquency Programs

1. Reducing Probation Officers Caseloads

The Division of Juvenile Services is hiring seven more Juvenile Community Corrections Officers. The Title II funds will be spent elsewhere.

2. Sharing Public Child Welfare Records With the Courts in the Juvenile Justice System

Pursuant to Section 223(a)(26) of the JJDP Act, in Maine the court either asks or is notified by the Juvenile Community Corrections Officer of the existence of a juvenile's public child welfare records (including child protective services records). Additionally Maine Revised Statutes title 34-B, chapter 15 §15003 requires that the Departments of Corrections, Health and Human Services, and Education enter into agreements that provide mechanisms for planning, developing and designating lead responsibility for each child's care and for coordinating care and supportive services. The departments must provide for access to information to those departments.

In practice the courts do not receive the child welfare public records unless the defense attorney receives them and shares. The JJAG recognizes this problem and will work with Child Welfare and the Judiciary to bring the current practice in line with Title 34-B, Chapter 15 §15003 Statutes.

3. Establishing Policies and Systems To Incorporate Relevant Child Protective Services Records Into Juvenile Justice Records

Maine is in full compliance with Section 223(a)(28). The Maine juvenile statutes that require the same protections for a juvenile as any other child in foster care are 15 M.R.S.A. Sections 3314(C-1) and 3315(1).

With respect to Section 223(a)(27) the child protection statute does provide that DHHS shall disclose relevant information in the record: "to a juvenile court when a child who is the subject of the records has been brought before the court pursuant to Title 15, Part 6." 22 M.R.S.A. Section 4008(3)(J). The juvenile court requests and receives the information.

In addition, DHHS, OCFS, Child Welfare may optionally disclose any information in the record to "a person having the legal responsibility or authorization to supervise a child." (22 M.R.S.A. Section 4008(2)(E)). A Juvenile Community Corrections Officer has the legal responsibility to supervise a child.

The Maine Department of Corrections has an Interdepartmental Protocol Concerning Title 15 Referrals to The Department of Health and Human Services that is strictly followed.

h. Disaster Preparedness Plan (Appendix vii)

i. Suicide Prevention (Appendix viii)

j. Collecting and Sharing Juvenile Justice Information

1. Maine Department of Corrections (MDOC) accesses juvenile justice information from its own Correctional Information System (CORIS), our own Compliance Monitoring data from jails and lock-ups, and the Maine Department of Public Safety (MDPS). Other data relevant to child welfare comes directly from the Maine Departments of Health and Human Services (to include child welfare) and Education.

Because Maine has a centralized corrections system the CORIS provides data from arrest to commitment including education and human services data on DOC children.

Data is collected yearly for the 3-Year Plan and is then available to the public on our website.

Mental health, social welfare, and public health as well as the Medicaid program are administered and operated by the Department of Health and Human Services. The Department of Education oversees the educational programs operated by the municipalities. The MDOC has memorandums of agreement with both departments for the sharing of information in the care of children.

2. A barrier to collection and sharing information and data is that various state agencies, including the courts and law enforcement agencies, have different information systems. None of these systems 'speak' to others.

The Compliance Monitor, due to our jails and lock-ups not having complimenting information systems, must continue to hand count and compile data.

k. Statements of the Problem/Program Narrative

1. Program Area Code and Title: Alternatives to Detention - 02

Maine Statute Title 15, Ch. 505, §3202-A, 4. C., reads, “detention, if ordered, must be in the least restrictive residential setting that will serve the purposes of the Maine Juvenile Code as provided in Section 3002 and one of the following purposes of detention: (1) To ensure the presence of the juvenile at subsequent court proceedings; (2) To provide physical care for a juvenile who can not return home because there is no parent or other suitable person willing and able to supervise and care for the juvenile adequately; (3) To prevent the juvenile from harming or intimidating any witness or otherwise threatening the orderly progress of the court proceedings; (4) To prevent the juvenile from inflicting bodily harm on others; or (5) To protect the juvenile from an immediate threat of bodily harm. [1999, c. 624, Pt. B, §5 (amd).]”

Pathways to Juvenile Detention Reform, Consider the Alternatives suggests that, “Detention should be viewed as a legal status, with varying levels of custody supervision, rather than as a building.” With this in mind Maine has worked to develop alternatives to be sure youth are placed in detention options that are appropriate to the risks they pose.

We will solicit applications for funding from agencies and program providers who have the capacity to provide Alternatives to Detention programs identified in the JDAI. Grants will be made to programs using evidence-based practice models. Fidelity to the program model will be a specific requirement in all contracts. We will continue to educate the larger community about the enhanced value of effective programs.

In addition to ensuring that programs offered to juveniles involved in or at risk of becoming involved in the juvenile justice system are proven to be effective at reducing recidivism, the JJAG will continue to encourage that only the appropriate level of service is given to each offender.

This initiative seeks to eliminate the inappropriate or unnecessary use of secure detention by increasing the number of alternatives and enhancing the effectiveness of already existing alternatives to secure detention, so that youth are not securely detained for a lack of viable options.

Research tells us that keeping youth detained for over thirty days negatively influences their ability to adjust upon their return home. Additionally, the time the young offender spends in detention is not supported by structured programming.

The Juvenile Justice Advisory Group, in an effort to facilitate the diversion of juveniles out of the criminal justice system, supports the implementation of restorative practices in the State of Maine. Restorative Practices is a holistic philosophy which consists of the accountability and reintegration of the juvenile offender, is victim focused, and repairs the harm done. Restorative

practices are viewed by the JJAG as a successful, practical, and fiscally responsible method of accomplishing the juvenile justice task force recommendations of increasing graduation rates, reducing expulsion and suspension rates, and developing alternatives to detention. Four key areas of focus for the implementation of restorative practices in Maine are program development in schools and communities, education of the public in restorative practices, public advocacy to initiate legislative and justice system support for the promising practice, and lastly as a methodology of managing and leading communities in both the public and private sector. The implantation of restorative practices is consistent with the mission and purpose of the JJAG as well as the OJJ. The facilitation of Restorative practices in Maine is also consistent and useful in meeting the JJAG's/OJJDP's requirements to reduce Disproportionate Minority Contact.

2. Program goal:

Appropriate comprehensive services for all youth who are at risk of becoming and who are involved in Maine's juvenile justice system

3. Program objectives:

- Decrease detention and commitment
- Increase diversion opportunities
- Increase in cultural understanding
- Improve program quality
- Improve program activities
- Improve system effectiveness
- Increase Accountability

4. Activities and services planned:

Funding a quarter-time Research Associate from Muskie to advance the action steps developed on Day 2 of the JDAI Fundamentals training.

Travel to JDAI MODEL Sites. The JDAI budget allows for sending 8-10 delegates to two Model Sites, possibly Albuquerque, NM, which has done some great mental health work and a DMC trip to St. Paul, Minnesota, which has developed ways to reduce disparities in its Somalian immigrant and refugee population.

Racial and Ethnic Disparities training by the Burns Institute, which is one of the premier institutes doing that type of work in the country.

As identified by the JDAI, activities might include cultural or gender appropriate diversion or treatment program, day reporting, therapeutic foster care, youth focused community policing, community resolution activities (restorative practices), community service and restitution,

validation and implementation of risk assessment tools, research, compilation of data regarding what works, and support for training of personnel working with youth at risk.

5. Performance measures:

Output: Number of program youth served

Outcome: Number and percent of program youth completing program requirements

6. Budget

FY	JJDP Funds	State/Local/Private Funds
2012	\$40,000	0
2013	\$40,000	0
2014	\$40,000	0

1. Program Area Code and Title: Compliance Monitoring - 06

Section 223(a)(15) of the JJDP Act requires that the plan provide for an adequate system of monitoring jails, detention facilities, and non-secure facilities to insure that the requirements of separation, deinstitutionalization, and jail removal are met. It also requires that an annual report of the results of such monitoring be submitted to the Administrator of the Office of Juvenile Justice and Delinquency Prevention.

Maine Detention and Correctional Standards require jails and lock-ups to report monthly to the Compliance Monitor the name, birth date and offense information along with the time detained secure or non-secure.

The Compliance Monitor will continue the rigorous manner of compliance checks outlined here. The Compliance Monitor will spot check homeless shelters and group homes that provide services under public authority to ensure they are non-secure.

Utilizing the Correctional Information System (CORIS) the Compliance Monitor will review all detentions pursuant to Violating Conditions of Release (VCR) to ensure that the underlying offense is not a status offense if secure detention is a result of a violation.

Legislation to keep status offenders from being securely detained and to separate juveniles from adults in adult-serving facilities went into effect in the early 70s. Maine has been in compliance with both these requirements since the passage of the Act. Compliance with Section 223(a)(13), removal of juveniles from adult-serving jails and lockups has improved greatly over the past few years and is near the 100% goal for compliance.

2. Program Goal:

Maintain compliance with the core requirements of the JJDP Act and monitor the performance of JJAG sub-grantees.

a. Program Objectives:

- b. Improve monitoring of compliance
- c. Increase compliance with Core Requirements
- d. Increase program support

3. Activities and Services Planned:

The compliance monitor will receive OJJDP training and technical assistance to include Effective Police Interactions with Youth training. The Compliance Monitor will update the list of licensed juvenile residential facilities in conjunction with the Maine Department of Health and Human Services (which licenses these facilities annually) according to the definitions in the Juvenile Justice and Delinquency Prevention Act. The Compliance Monitor will update the Policies and Procedures Manual and the Monitoring Universe each year. The Compliance Monitor will collect data on the secure detention of juvenile offenders. Technical assistance will be provided to adult jails and lockups, Juvenile Corrections Officers, Assistant District

Attorneys, Judges and sub-grantees as needed. On site inspections of secure facilities will be performed at a rate of 100% per year. Facilities certified as non-secure will be inspected at a rate of 30% each year.

4. Performance Measures:

Outputs

- Funds allocated to adhere to Section 223 (a) (14) of the JJDP Act of 2002
- Number of activities that address compliance with Section 223 (a) (14) of the JJDP Act of 2002
- Number and per cent of program staff trained
- Number of hours of program staff training hours
- Number of facilities receiving TA

Outcomes

- Submission of Annual Monitoring Report to OJJDP Annual on-site inspection of all adult jails

5. Budget:

FY	JJDP Funds	State/Local/Private Funds
2012	\$85,000	0
2013	\$85,000	0
2014	\$90,000	0

1. Program Area Code and Title: Disproportionate Minority Contact-10

The Maine Juvenile Justice Advisory Group (JJAG) has been partnering with the Justice Policy Center at the Muskie School of Public Service to collect data regarding disproportionate minority contacts (DMC).

The number of minority youth in our state is small and it makes much of the data collected unreliable. We will continue our data collection efforts and solicit input from stakeholder groups about conditions and actions related to this issue. We will move forward to take action as targeted strategies are identified that will reduce the overrepresentation of minorities especially refugees and immigrants.

The JJAG is committed to improving the capacity of the state to report accurate information about the proportion of Maine's minority juveniles who come into contact with the juvenile justice system. The JJAG is also committed to addressing disproportionate minority contact, wherever it occurs, using evidence based and promising strategies, tools and interventions to ensure that (1) minority youth that should be diverted from the system in the first place, and that (2) those minority youth who find themselves in the juvenile justice system do not as a group receive harsher sanctions than white youth who exhibit similar risk levels, behavioral issues, and new criminal behaviors.

Maine's DMC initiative is a multi-phased, sustained effort that will require systems improvement over many years to build a juvenile justice system that is more sensitive to cultural differences. Phase I of DMC - Identification and Monitoring – has been focused on the determination of whether (and where) disproportionate minority contact exists in the juvenile justice system. Data are collected from multiple sources to identify juvenile minority overrepresentation at key decision points. The Identification phase is ongoing; Maine is monitoring quantitative trends. Maine has built sufficient capacity to monitor DMC by analyzing trend data, although certain data issues persist – e.g. Maine has very small numbers; Maine does not yet report ethnicity data.

The Maine JJAG has begun Phase 2 of DMC – Assessment. The extent of DMC and the contributing factors varies by state and within individual jurisdictions. Recognizing this, OJJDP encourages states and localities to develop innovative approaches to conduct the assessment. A DMC assessment, however, must resolve several methodological issues, including which jurisdictions and decision points and what type of research design and data or subjects are most appropriate and feasible. (OJJDP DMC Technical Assistance Manual, 3rd Edition, Chapter 2: Assessment)

2. Program goal:

To improve the state's capacity to report accurate information about juvenile DMC.

3. Program objectives:

- Increase organizational/system capacity

- Improve planning and development
- Improve system effectiveness

4. Activities and services planned:

The JJAG has entered into innovative agreements with both the Muskie School of Public Service and the University of Maine School of Law. These agreements and the DMC research model builds on the strengths of Maine's JJAG, the leader of the DMC initiative, the University of Maine School of Law, and USM Muskie School of Public Service. These partners are implementing best practice by planning and collaborating with researchers on the DMC assessment study before, during, and after it is undertaken.

The Muskie School will collect and analyze data for juvenile justice decision points contained in CORIS and the Maine Department of Public Safety. They will continue to generate trend data for juvenile DMC in Maine. To comply with OJJDP requirements, emphasis will be placed on assessing DMC in Maine counties with the highest proportion of minority populations, such as Washington, Androscoggin, Cumberland, and Penobscot counties. Because statistical significance is more likely to be achieved in these counties for one or more decision points, trend data is more likely to generate information to help inform policy and practice.

The primary purpose of Identification and Monitoring is descriptive – it provides a quantitative answer to whether there are differences in the contact that youth have with the juvenile justice system based on race and ethnicity. Beyond that, this phase should provide initial and ongoing guidance for targeted inquiries (assessment) as to the mechanisms and reasons for such differences. Analysis of identification data will assist Maine with the following questions:

- Are there differences in the rates of contact (e.g., arrest) refugee or immigrant status? If so, at what stages of the justice system are these differences more pronounced?
- Are there differences in the processing of juveniles within the justice system based on refugee or immigrant status? If so, at what stages of the justice system are these differences more pronounced?
- Are the differences in contact and processing similar across all racial and ethnic groups? If not, which groups seem to show the greatest differences?
- Are racial/ethnic differences in contact and processing changing over time? (DMC Technical Assistance Manual, 3rd Edition, Chapter 1, Identification and Monitoring)

Maine's Assessment project will identify and describe the factors that persons involved in Maine's juvenile justice system perceive as most important in determining the amount of minority contact. The state of Maine will gain the ability to effectively address specific aspects of the juvenile justice system that may unintentionally increase the likelihood of disproportionate minority contact.

Analysis of assessment data will assist Maine with the following research questions:

- What factors most determine a decision to proceed in a particular manner?

- How does the minority status of a juvenile affect the weighting of these factors?
- What features of the system affect the number of minorities processed and why?
- What barriers or issues do the actors in the system (including the juvenile) perceive as important?

5. Performance measures:

Outputs

- Number and percent of program staff trained
- Number of hours of program staff training
- Number of planning activities conducted
- Number of assessment studies conducted
- Number of data improvement projects implemented
- Number of decision-making tools developed

Outcomes

- Number of contributing factors determined from assessment studies
- Number and percent of recommendations from assessment studies implemented

6. Budget:

FY	JJDP Funds	State/Local/Private Funds
2012	\$100,000	0
2013	\$120,000	0
2014	\$120,000	0

1. Program Area Code and Title: Systems Improvement - 19

The State of Maine is a Juvenile Detention Alternative Initiative (JDAI) site sponsored by the Annie E. Casey Foundation. In other states that program has focused on reducing the need for detention of juvenile is secure setting by providing alternative treatment programs and residential alternatives. Maine has been working on reducing detention of juveniles for a number of years and has been able to reduce that number by 22% more or less. While there is still some work to be done in that regard, the JJAG intends to focus the majority of its efforts through the JDAI process on reducing the number of juveniles who are committed in secure detention at the two youth development centers. The JJAG will assess the potential of programs and residential facilities in the community, some secure and some not, which may serve as an alternative to initial commitment to a youth development center, and as a way to provide a quicker and more effective transition of juveniles out of the youth development centers.

The JJAG is committed to examine the issues of girls/females in the system. The number of girls who are being detained and confined is increasing. In 2010 more girls than boys were detained (784 and 234 respectively). An analysis of those detention decisions demonstrates that some girls are being detained who have been determined to be at a lower risk level for continued criminality than boys who are not being detained.

Far too many children are disconnected from school. The latest Department of Education data tell us that 16% of students in the 2003/2004 school year were expelled; out of 96,858 students 151 were expelled. The 2010 graduation rate for all Maine schools was 82.82% (a decrease over 2009, 89.40%). The dropout rate for the same year was 3.46% with public schools showing 3.63%. The disturbing fact in these rates is that the dropout rate rose from 3.42% for all schools in 2009.

Where are the expelled and dropout children? Does our juvenile justice data tell us?

Over the past nine years Maine has been implementing Dr. Ross Greene's Collaborative Problem Solving in our two juvenile facilities, juvenile community corrections, and 19 schools. Qualitative data indicates that this model of working with children is beneficial to both the child and adult. The core of CPS understands that some challenging youth behavior can be attributed to what Dr. Greene describes as "lagging skills and unsolved problems." A careful inventory of these challenges provides vital information needed to understand and help to change the child's behavior.

In a two year project our evaluation indicates that forty percent of Sanford School District staff members were trained in CPS. School administrators reported that anywhere from 30 to 100% of staff had attempted using CPS and anywhere from 10 to 85% of staff regularly used CPS. Many staff members participating in the focus groups had experienced positive outcomes using CPS.

The number of reported prohibited behaviors decreased in each of the prohibited behavior categories as well as decreases in disciplinary action such as detention, in school suspension and out of school suspension in a middle and elementary school.

This was particularly true with lesser aggressive behaviors, incidents where teacher discretion may provide the opportunity for CPS. Two participating schools saw marked increases in the use of conferences as a disciplinary action, an indication of using CPS to address problem behavior instead of relying on traditional punishments.

At the middle school, the number of aggressive behaviors decreased by 42.6%. The number of lesser aggressive behaviors decreased by more than half (56.8%) at one school and 45.7% at another. The middle school reported the largest decrease, 51.5%.

The number of serious truancy incidents declined by 45.36%. The use of out of school suspensions decreased by 42.5%. The middle school saw the biggest decrease, 75%.

The final report for this project suggests that the results of the evaluation appear to indicate a relationship between the adoption of CPS and positive outcomes such as decreases in incidents of prohibited behavior and disciplinary actions. (Collaborative Problem Solving Evaluation Report, 2009)

The goal of the JJAG is to have CPS in all Maine schools. There are more than 20 schools currently using this approach. Between 2012 and 2014 the number of schools will triple and the juvenile justice system will use the approach (police, prosecutors, defense attorneys).

The JJAG remains committed to advocating for the rights of Juveniles and strongly contending that they be exempt from any law requiring participation in a national web-based public registry such as that contemplated in the Adam Walsh Act. We believe that juveniles who engage in sexual offending behavior should not be treated in the same fashion as adults who engage in those offending behaviors.

The JJAG will continue to provide judges, legislators, juvenile justice professionals and the general public with training and reliable information regarding “what works” so that scarce and diminishing financial resources are spent only on the most effective services.

The issues of effective assistance of counsel continues to be an important concern for our state. In an ideal world fewer youth would ENTER Maine’s juvenile justice system. We will continue to support training for defense attorneys and prosecutors. Other professionals whose decisions impact youth at risk may be included in shared training.

The defense of juveniles requires special information. Many attorneys, especially in rural areas may be called to represent juveniles who do not have experience. We will explore the possibility of creating a consultation group of experienced attorneys who could provide support and information on an on-call basis.

2. Program Goals

To improve Maine's juvenile justice system by conducting an assessment of the system by collaborating with stakeholders and by increasing the availability of diversion and alternative to detention programs.

3. Program Objectives

- Eliminate the inappropriate or unnecessary use of secure detention;
- minimize re-arrest and failure-to-appear rates pending adjudication;
- ensure appropriate conditions of confinement in secure facilities;
- redirect public finances to sustain successful reforms; and
- reduce racial and ethnic disparities.
- Further implementation of Collaborative Problem solving.
- Train stakeholders on the juvenile justice system.

4. Activities and Services

- I. Provide training in adolescent brain development, Adverse Childhood Experiences, Trauma Informed Systems of Care, Effective Police Interactions with Youth, Positive Youth Development, Trauma Affect Regulation: Guide to Education and Training (TARGET), and others
- II. Continue implementation of Collaborative Problem Solving to schools, juvenile facilities and community corrections, juvenile attorneys and police
- III. Support the Juvenile Justice Implementation Council in the work of the JDAI with a special interest in DMC and girls in the system
- IV. With JDAI Maine will eliminate the inappropriate or unnecessary use of secure detention; minimize re-arrest and failure-to-appear rates pending adjudication; ensure appropriate conditions of confinement in secure facilities; redirect public finances to sustain successful reforms; and reduce racial and ethnic disparities.
- V. Maine has the collaboration between the Maine Departments of Corrections, Education, Health and Human Services, law enforcement, the courts, and child serving providers.
- VI. We have been collecting contact points, race and ethnicity, school and mental health data, to name a few, for many years. This data along with data prompted by the Annie E. Casey Foundation will both diagnose our system's problems and proclivities and assess the impact of various reforms.
- VII. With this data we will develop objective admissions criteria and instruments must be developed to replace subjective decision making at all points where choices to place children in secure custody are made.
- VIII. Late this year we will develop non-secure alternatives to detention in order to increase the options for youth who would otherwise be locked up. The alternatives will be based in those neighborhoods where detention cases are concentrated and operated by local organizations.

- IX. As we work through this process we will look at those youth in custody who are there as a result of probation violations, writs and warrants, as well as those awaiting placement and, if need be, develop new practices and procedures.
- X. Maine is looking at racial disparities to see what strategies are needed aimed at eliminating bias and ensuring that all children are treated equally. Our current Disproportionate Minority Contact work in Cumberland County, Effective Police Interactions with Youth training, our juvenile services training and collaborative efforts with police departments and schools have given us a leg up in this regard.
- XI. One of Maine's goals in the JDAI work is to work toward reducing the number of children who are confined unnecessarily.
<http://www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative/CoreStrategies.aspx>

5. Performance Measures

Output: FG funds awarded (for JJ system improvement)

Outcome: Number and percent of youth completing program requirements

6. Budget

FY	JJDP Funds	State/Local/Private Funds
2012	\$100,000	0
2013	\$100,000	0
2014	\$120,000	0

1. Program Area Code and Title: American Indian Programs – 22

The JJDP Act requires states to pass funds through to federally recognize native communities. The amount based on the proportion of Native American juveniles to the total juvenile population in the state is provided to the state administrative agency by the grantor agency. Each year's pass through requirement is an amount insufficient to support any initiative and the JJAG regularly adds to the allocation for Indian Juvenile justice activities.

The Wabanaki People of Maine include the Aroostook Band of Micmac Indians in Presque Isle, the Houlton Band of the Maliseet Indians, the Passamaquoddy Tribe at Indian Township, the Passamaquoddy Tribe at Pleasant Point and the Penobscot Nation on Indian Island. All the tribes have federal recognition.

Like many Indian reservations, Maine reservations are plagued by unemployment and poverty. Youth residing on native lands have been found to have higher rates of delinquent behaviors.

Transitioning from middle school to high school tends to be a difficult time for many Native children, many of whom choose to leave school before graduation. Dropping out of school leaves youth with large quantities of idle time, directly contributing to higher rates of delinquency. More importantly, school dropout rates directly affect the rates of substance abuse among youth. In a study by Swain and others, data was analyzed on self-reported substance abuse among majority and minority populations and concluded that all ethnic groups have similar prevalence rates, but the rates of substance abuse are highest among school dropouts when compared with students remaining in school. Within this context, the high school dropout rates for the native children are particularly problematic. Native youth drop out rate ranges from 25% to 60% as reported by the Penobscot Nation and is well above Maine's statewide average of only 4.97%.

In addition, Juvenile justice systems in tribal communities are chronically under funded and lack comprehensive programs that focus on preventing juvenile delinquency, providing intervention services, and imposing appropriate sanctions. Law enforcement and justice personnel in American Indian communities receive insufficient and inadequate training.

The Passamaquoddy Tribe and the Penobscot Nation maintain tribal courts and a juvenile justice system. The Houlton Band of Maliseet Indians was not able to implement a tribal court.

The Division of Juvenile Services and the tribal court system have a very good working relationship that allows tribal youth in the state system a tribal support system. Additionally information is shared on tribal youth to provide the best care possible.

2. Program Goal

Appropriate comprehensive services for all Native youth who are at risk becoming or who are involved with the Tribal Court juvenile justice system or the State juvenile justice system.

3. Program Objectives

Adequate services that address specific and comprehensive needs of Tribal youth who are at risk becoming or who are involved in Tribal Courts juvenile justice system and their families.

4. Activities and services planned

Types of activities to be supported will vary depending on the specific goals and assessment outcome of funded communities. Evaluation and prevention programs will also be supported, to determine effectiveness as a basis for advocating for wider implementation of prevention strategies.

The long-term goal is to reduce the juvenile recidivism rate among tribal youth offenders, while establishing and maintaining accountability-based programs designed to reduce recidivism rates among juveniles who are referred by law enforcement personnel or agencies.

5. Performance Measures

Output: Number of program youth served

Outcome: Number and percent of youth completing program requirements

6. Budget

FY	JJDP Funds	State/Local/Private Funds
2012	\$15,000	0
2013	\$15,000	0
2014	\$15,000	0

1. Program Area Code and Title: Planning and Administration -23

The Maine Department of Corrections is designated by the Governor as the sole agency responsible for supervising the State Advisory Group (JJAG) in the preparation and administration of the state plan within the meaning of the JJDP Act. Administration of the program is supported by federal funds with State general fund appropriation as match. A full time juvenile justice specialist staffs the program with support of a full time Compliance Monitor and half time administrative help.

2. Program Goal

To improve Juvenile Justice systems by increasing compliance with the Core Requirements and increasing the availability and types of prevention and intervention programs

3. Program Objectives

To support both state and local prevention and intervention efforts and the JJ system improvements

4. Activities and services planned:

- a. Submit to the Governor and the Legislature, at least annually, recommendations with respect to matters related to its functions, including State compliance with the requirements of the Act;
- b. Review and approve or disapprove all juvenile justice and delinquency prevention subgrant applications submitted to the Juvenile Justice Advisory Group;
- c. Monitor State compliance with the requirements of the Act;
- d. Develop more effective education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile delinquency and improvement of the juvenile justice system;
- e. Review the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the State plan;
- f. Regularly seek comments and opinions from juveniles currently under the jurisdiction of the juvenile justice system;
- g. Develop programs and systems to facilitate the sharing of information about juvenile justice issues between organizations, agencies, and individuals; and

- h. Provide education, advice, recommendations to, and advocacy before, organizations that impact the juvenile justice system.

5. Performance Measures

Outputs

- FG funds awarded for P & A
- Number of FTEs funded with FG
- Number of subgrants awarded
- Number and percent of programs funded using evidence-based models

Outcomes

- Average time from receipt of subgrant application to date of award

6. Budget

FY	JJDP Funds	State/Local/Private Funds
2012	\$40,000	\$40,000
2013	\$48,000	\$48,000
2014	\$48,000	\$48,000

1. Program Area Code and Title: State Advisory Group Allocation - 31

The Juvenile Justice and Delinquency Prevention Act (JJDP) requires that states receiving JJDP funds maintain a State Advisory Group (SAG) with members appointed by the governor and meeting certain membership criteria to oversee preparation of a state Juvenile Justice and Delinquency Prevention Plan and management of the JJDP formula grant program. Funds are provided under the Act to enable the SAG to carry out its responsibilities.

The Juvenile Justice Advisory Group (JJAG) is Maine's State Advisory Group. Its makeup and operations are codified in statute (34-A MRSA Sec. 1209). The JJAG's enabling law is modeled after the requirements stipulated in the Act.

JJAG members represent a diverse range of agencies, groups, and individuals actively involved and interested in juvenile justice issues in the State. The JJAG has seven youth members.

Through training, networking and discussions, the JJAG is working toward more effective program planning and increased attention to juvenile justice issues.

2. Program Goal:

To promote effective system level responses that furthers the goals of the Juvenile Justice and Delinquency Prevention Act

3. Program Objectives:

- Improve planning and development
- Improve program quality
- Improve the management of the state's JJDP Program
- Increase Program support

4. Activities and Services Planned:

Meetings and training sessions will be scheduled to provide opportunities for JJAG members to review, study, and discuss issues related to juvenile justice in Maine. Meetings will be planned to address juvenile justice issues with various agencies, individuals, the Legislature, Maine's Congressional Delegation and the Governor.

Members will attend Office of Juvenile Justice and Delinquency Prevention trainings.

The JJAG will continue membership in the Coalition for Juvenile Justice and members will attend meetings and trainings.

5. Performance Measures

Outputs

- Number of grants funded with Formula Grants funds
- Number of grant applications reviewed and commented on
- Annual Report submitted to the Governor
- Number of SAG committee meetings held
- Number of SAG sub-committee meetings held
- Number and percent of programs using best practice model

Outcomes

- Number and percent of Plan recommendations implemented
- Number of FG-funded programs sustained after 3 years
- Number and percent of SAG members show increased knowledge of their program areas

6. Budget:

The SAG allocation supports member travel and training, JJ Specialist travel out of state, and Juvenile Justice Coalition membership. The planned allocation of SAG funds is:

FY	JJDP Funds	State/Local/Private Funds
2012	\$20,000	0
2013	\$30,000	0
2014	\$30,000	0

7. SMART

The SMART system ([//smart.gismapping.info/](http://smart.gismapping.info/)) does not provide the most recent data or information to validate Maine's problems. The latest data is from 2007 and the census data is from 2000. State juvenile justice data, found in the appendices, are for the year 2010 and includes all decision points. Data relating to the education are from the school years 2003/2004 and 2009/2010.

8. SAG Membership

	Name*	Represents	FT Gvt	Youth	Date of Appointment	Residence
1	Vestal, Paul, Chair	D, H			6/29/2006	Bangor
2	Boger, Mark	E	X		9/21/2007	Waterville
3	Brown, Richard	G			2/24/2009	Dover-Foxcroft
4	Burke, Emma	F		X	2/17/2012	Manchester
5	Chester, Edwin	B			9/21/2007	Portland
6	Demerritt, Nikole	B	X	X	1/24/2008	Waterville
7	Dutton, Dalene	D			12/24/2008	Camden
8	Fearon, Carla	D, F			6/20/2008	Indian Island
9	Foss, James	B			12/24/2008	Houlton
10	Goodwin, Jacinda	C, G	X		Ex-officio	Augusta
11	Johnson, Jamie	C		X	8/22/2005	Fayette
12	LaVerdiere, Charles	B	X		1/13/2006	Skowhegan
13	Liberty, Randall	A, B			12/1/10	Augusta
14	Longworth, Margaret	D, H			1/13/2006	Orland

	Name*	Represents	FT Gvt	Youth	Date of Appointment	Residence
15	McCourt, Abigail	E		X	9/21/2008	Phippsburg
16	McDonald, Joan	D, E			9/21/2007	Biddeford
17	McMullen, Hannah	E		X	9/21/2008	Solon
18	Nichols, Daniel	C, G			9/21/2007	Augusta
19	Patrick, Douglas	C, H	X		12/24/2008	Augusta
22	Shapiro, Jonathan	B	X		Ex-officio	York
21	Stoodley, Barry	B, C	X		Ex officio	Unity
22	Thibeault, Christine	B			9/21/2007	Portland
23	Theriac, Christine	C	X		Ex-officio	Augusta
24	Walsh, Patrick	D, H			9/21/2007	Belfast

*The State Advisory Group is the State Supervisory Board.

**A -Locally elected official representing general purpose local government.

B - Representatives of law enforcement and juvenile justice agencies

C -Representatives of public agencies concerned with delinquency prevention or treatment.

D -Representatives of private nonprofit organizations.

E -Volunteers who work with juvenile justice.

F -Youth workers involved with programs that are alternatives to confinement.

G -Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.

H -Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect and youth violence

9. Formula Grants Program Staff

The primary staff for the JJDP Formula Grant Program is the State's Juvenile Justice Specialist. The JJDP program is located in the central office of the Department of Corrections. This location facilitates supervision, coordination of program efforts with other departments, such as the Division of Juvenile Services, the Division of Policy in the Legislature, Information Services, and the Division of Administrative and Financial Services, all of which provide staff time to the JJDP program.

Name	Title	Funding Source	% Time to JJDP Prog
Kathryn McGloin	JJ Specialist	50% State/50% Fed	100%
Brenda Rowe	Finance	State	2%
Mitch Boynton	Finance	State	2%
Bartlett Stoodley	Ass. Comm. DJS	State	2%
Open	Adm. Assoc. DJS	State	2%
Elaine Brann	1/4 Time Assistant	Federal	100%
Ryan Andersen	Compliance Monitor	Federal by Program Area	100%

Descriptions of the duties for the juvenile Justice Specialist and Compliance Monitor (Attachment 10)

Appendices

Appendix i

Child Population Under 18

2006	2007	2008	2009	2010
288,500	285,677	281,714	277,731	273,813

Poverty Rates by County

	Androscoggin	20.4%	Oxford	22.5%
	Aroostook	20.0%	Penobscot	20.6%
	Cumberland	13.6%	Piscataquis	27.3%
	Franklin	22.3%	Sagadahoc	15.3%
	Hancock	20.2%	Somerset	25.7%
	Kennebec	16.9%	Waldo	23.4%
	Knox	19.8%	Washington	30.9%
	Lincoln	20.8%	York	13.7%
Maine	18.2%			

Children in Poverty Under the Age of 18

2006	2007	2008	2009	2010
18%	15%	16%	17%	18%

Children participating in MaineCare in 2011	48.0%
Children receiving Food Supplement Benefits (Formerly Food Stamps) in 2011	27.6%
Children receiving Temporary Assistance for Needy Families (TANF)in 2011	8.7%
School Children eligible for subsidized school lunch in 2012	46.1%

Data Provided by: National KIDS COUNT Program or Maine Children's Alliance

Appendix ii

2007 - 2010 Decision Points Data: Race, Age, Gender, Offense

Arrests

of Arrests

	2007	2008	2009	2010
Race				
White	6,775	6,482	6371	6103
Black/African American	256	302	343	314
Hispanic	0	0	0	0
Asian	31	31	35	37
American Indian/Alaskan Native	30	27	39	38
Other	0	0	0	0
Total Arrests	7,092	6,842	6788	6492

Age				
<10	52	35	54	32
10-12	253	256	264	275
13-14	1,246	1114	1090	1220
15	1,403	1292	1189	1168
16	1,781	1,828	1778	1638
17	2,357	2,317	2413	2159
Total Arrests	7,092	6,842	6788	6492

Gender				
Female	1,984	2,060	2097	1946
Male	5,108	4,782	4691	4546
Total Arrests	7,092	6,842	6788	6492

Type of Offense				
Person	1,170	1,219	1195	1285
Property	2,572	2,562	2356	2143
Drugs/Alcohol	1,804	1,730	1902	1726
Other	1,546	1,331	1335	1338
Total Arrests	7,092	6,842	6788	6492

Referrals to JCCO (Juvenile Court)

of Referrals

	2007	2008	2009	2010
Race				
White	4,921	4,867	5841	5306
Black/African American	274	234	320	296
Hispanic	67	52	21	9
Asian	27	22	39	36
American Indian/Alaskan Native	57	52	57	79
Other	79	64	129	147
Total Referrals	5,425	5,291	6407	5873

Age				
10	28	13	23	22
11	56	67	61	69
12	123	129	158	170
13	334	314	400	383
14	784	696	625	703
15	1,212	1,182	1122	1048
16	1,623	1,685	1686	1481
17	1,265	1,205	2332	1997
Total Referrals	5,425	5,291	6407	5873

Gender				
Female	1,455	1,570	1891	1808
Male	3,970	3,721	4516	4065
Total Referrals	5,425	5,291	6407	5873

Type of Offense				
Person	1,281	1,303	1363	1391
Property	2,373	2,328	2619	2241
Drugs/Alcohol	1,623	1,490	2233	2034
Other	148	170	192	207
Total Referrals	5,425	5,291	6407	5873

Detentions

Detained

Race	2007	2008	2009	2010
White	707	565	1019	864
Black/African American	65	75	123	77
Hispanic	19	3	14	31
Asian	4	3	16	16
American Indian/Alaskan Native	12	10	23	14
Other	7	4	14	16
Total Detained	814	660	1209	1018

Age				
10	0	0	0	0
11	2	2	0	1
12	6	2	7	7
13	28	21	35	55
14	107	57	127	106
15	183	135	220	190
16	238	215	345	248
17	250	228	321	302
18+ at detention			154	109
Total Detained	814	660	1209	1,018

Gender				
Female	180	143	294	784
Male	634	517	915	234
Total Detained	814	660	1209	1,018

Type of Offense				
Person	285	248	164	435
Property	352	275	249	465
Drugs/Alcohol	124	103	23	40
Other	53	34	27	64
Total Detained	814	660	463	1,004

Cases Nonpetitioned (Diverted)

of Diversions

Race	2007	2008	2009	2010
White	2,288	2,428	2801	2332
Black/African American	68	62	85	81
Hispanic	30	23	5	3
Asian	10	11	20	12
American Indian/Alaskan Native	14	21	17	26
Other	38	36	73	73
Total Cases Nonpetitioned	2,448	2,581	3001	2527

Age				
10	18	3	19	17
11	27	36	43	41
12	60	65	96	81
13	146	151	221	172
14	308	310	314	279
15	463	486	511	465
16	583	647	744	612
17	843	882	1053	860
Total Cases Nonpetitioned	2,448	2,580	3001	2527

Gender				
Female	808	963	1059	973
Male	1,640	1,617	1942	1554
Total Cases Nonpetitioned	2,448	2,580	3001	2527

Type of Offense				
Person	394	430	500	465
Property	1,016	1,094	1161	885
Drugs/Alcohol	987	982	1280	1106
Other	51	74	60	71
Total Cases Nonpetitioned	2,448	2,580	3001	2527

Cases Petitioned

Petitioned

Race	2007	2008	2009	2010
White	3,064	2,930	2975	2904
Black/African American	211	215	225	216
Hispanic	52	39	12	6
Asian	23	12	22	24
American Indian/Alaskan Native	54	37	42	52
Other	41	36	42	70
Total Cases Petitioned	3,445	3,269	3318	3272

Age				
10	8	7	4	2
11	20	24	20	23
12	55	48	65	89
13	175	129	167	209
14	396	341	336	388
15	656	634	629	561
16	936	930	895	876
17	1,199	1,156	1202	1124
Total Cases Petitioned	3,445	3,269	3318	3272

Gender				
Female	812	757	831	827
Male	2,633	2,512	2487	2445
Total Cases Petitioned	3,445	3,269	3318	3272

Type of Offense				
Person	956	948	845	854
Property	1,499	1,368	1430	1365
Drugs/Alcohol	902	837	917	909
Other	88	116	126	144
Total Cases Petitioned	3,445	3,269	3318	3272

Adjudications

of Adjudications

Race	2007	2008	2009	2010
White	1,715	1,673	1683	1644
Black/African American	74	88	109	109
Hispanic	22	28	11	5
Asian	3	7	9	13
American Indian/Alaskan Native	29	25	26	31
Other	18	21	27	40
Total Adjudications	1,861	1,842	1865	1842

Age				
10	0	0	1	0
11	7	3	9	7
12	16	20	36	29
13	72	40	74	108
14	203	172	178	193
15	374	350	367	315
16	504	540	492	535
17	685	717	708	655
Total Adjudications	1,861	1,842	1865	1842

Gender				
Female	454	400	435	431
Male	1,407	1,442	1430	1411
Total Adjudications	1,861	1,842	1865	1842

Type of Offense				
Person	492	499	438	459
Property	873	828	840	813
Drugs/Alcohol	449	449	532	534
Other	47	66	55	36
Total Adjudications	1,861	1,842	1865	1842

Probation

Assigned Probation

Race	2007	2008	2009	2010
White	848	722	716	722
Black/African American	35	35	40	43
Hispanic	12	11	6	3
Asian	0	3	4	8
American Indian/Alaskan Native	12	14	12	9
Other	9	9	11	14
Total Assigned to Probation	916	794	789	799

Age				
10	0	0	1	0
11	4	1	4	4
12	12	12	24	21
13	49	26	54	68
14	128	95	113	124
15	212	175	201	181
16	259	237	205	219
17	252	255	187	182
Total Assigned to Probation	916	801	789	799

Gender				
Female	194	159	166	167
Male	722	642	623	632
Total Assigned to Probation	916	801	789	799

Type of Offense				
Person	328	288	255	293
Property	507	426	443	410
Drugs/Alcohol	54	64	62	68
Other	27	23	29	28
Total Assigned to Probation	916	801	789	799

Commitment (Confined)

Committed

Race	2007	2008	2009	2010
White	296	336	348	374
Black/African American	20	21	36	25
Hispanic	5	9	0	1
Asian	1	3	0	2
American Indian/Alaskan Native	10	6	12	11
Other	4	1	8	8
Total Commitments	336	376	404	421

Age				
10	0	0	0	0
11	0	0	0	2
12	0	0	3	4
13	5	3	13	15
14	35	26	34	40
15	65	59	91	72
16	89	132	103	130
17	142	156	160	158
Total Commitments	336	376	404	421

Gender				
Female	67	64	67	67
Male	269	312	337	354
Total Commitments	336	376	404	421
Type of Offense				
Person	106	117	107	117
Property	195	213	239	253
Drugs/Alcohol	18	32	36	31
Other	17	14	22	20
Total Commitments	336	376	404	421

Appendix iii

Juvenile Justice Decision Points

- **Arrest** occurs when a law enforcement officer has a contact with a juvenile who is suspected of committing a delinquent act.
- **Referral** occurs when a juvenile moves forward in the juvenile justice system. They may be referred to court, juvenile court, or a specialized court.
- **Diversion** occurs when a referred juvenile is formally diverted by a Juvenile Community Corrections Officer (JCCO) from the juvenile justice system to other services. Juveniles who are successfully diverted do not continue on through the juvenile justice system. However, diverted juveniles may be placed back into the justice system should diversion be determined ineffective.
- **Detention** occurs when a juvenile is held in a secure facility without being sentenced. This could occur prior to court processing, or could be a result of a probation violation.
- **Petition** occurs when charges are filed requesting a hearing in court, or a juvenile is transferred to adult court.
- **Adjudication** occurs when a juvenile goes before a judge and is found guilty of committing an offense.
- **Probation** occurs when a juvenile is sentenced by a judge to formal supervision.
- **Commitment** occurs when a juveniles is sentenced to commitment in a secure facility by a judge. All types of confinement are included.
- **Bindover** occurs when a juvenile is transferred to adult court. This is very rare in the state of Maine

Appendix iv

2011 MIYHS HIGH SCHOOL REPORT

<http://www.maine.gov/dhhs/osa/data/miyhs/admin.htm>

If you wanted to get a gun, how easy would it be for you to get one? (hn20)

41% of students answered 'Sort of easy' or 'Very easy'

During the past 12 months, how many times were you in a physical fight? (hn24)

20% of students answered at least 1 time

During the past 12 months, how many times were you in a physical fight in which you were injured and had to be treated by a doctor or nurse? (hn25)

3% of students answered at least 1 time

During the past 12 months, how many times were you in a physical fight on school property? (hn26)

8.2% of students answered at least 1 time

During the past 12 months, did your boyfriend or girlfriend ever hit, slap, or physically hurt you on purpose? (hn27)

11.2% of students answered 'Yes'

Has violence in your home, or the threat of violence, ever made you want to leave your home, even just for a short while? (hn30)

24.2% of students answered 'Yes'

How often is the following statement true for you? 'I resolve conflicts without anyone getting hurt.' (hn32)

73% of students answered 'Most of the time' or 'Always'

During the past 12 months, did you ever feel so sad or hopeless almost every day for two weeks or more in a row that you stopped doing some usual activities? (hn42)

23% of students answered 'Yes'

During the past 12 months, how many times did you do something to purposely hurt yourself without wanting to die, such as cutting or burning yourself on purpose? (hn47)

17% of students answered at least 1 time

During your life, how many days have you had at least one drink of alcohol? (hn78)

59.4% of students answered at least 1 day

How old were you when you had your first drink of alcohol other than a few sips? (hn79)

Among students who have had more than a few sips of alcohol, 28.4% answered before age 13.

During the past 30 days, on how many days did you have at least one drink of alcohol? (hn80)

28% of students answered at least 1 day

About how many adults (over 21) have you known personally who in the past year have used marijuana, crack, cocaine, or other drugs? (hn133)

42.6% of students answered at least 1 adult

2003-04 EXPULSIONS BY GRADE									
Public Schools									
GRADUATION RATES			2010		2009	Dropouts	2010	2009	
	Enrollment			Expulsions			Percentage		
Grade	Male	Female	Total	Male	Female	Total	Male	Female	Total
Grade 7	8,681	8,197	16,878	10	4	14	0.12%	0.05%	0.08%
Grade 8	8,896	8,425	17,321	17	4	21	0.19%	0.05%	0.12%
TOTAL ELEMENTARY	17,577	16,622	34,199	27	8	35	0.15%	0.05%	0.10%
Grade 9	8,783	8,108	16,891	42	9	51	0.48%	0.11%	0.30%
Grade 10	8,340	7,765	16,105	21	7	28	0.25%	0.09%	0.17%
Grade 11	7,772	7,353	15,125	20	2	22	0.26%	0.03%	0.15%
Grade 12	7,497	7,041	14,538	14	1	15	0.19%	0.01%	0.10%
TOTAL SECONDARY	32,392	30,267	62,659	97	19	116	0.30%	0.06%	0.19%
STATE TOTALS	49,969	46,889	96,858	124	27	151	0.25%	0.06%	0.16%

Enrollment as reported on the Fall School Statistical Report (EF-M-40).

Submitted as of October 1, 2003.

Expulsions as reported on the EF-M-35 Year End Report for School Systems/Selected Private Schools as of June 30, 2004.

Graduation Rates by County

Androscoggin	72.8%	Oxford	78.4%
Aroostook	85.0%	Penobscot	80.6%
Cumberland	84.7%	Piscataquis	80.1%
Franklin	89.0%	Sagadahoc	83.3%
Hancock	82.5%	Somerset	83.9%
Kennebec	79.8%	Waldo	83.9%
Knox	84.0%	Washington	81.0%
Lincoln	79.1%	York	83.3%
Maine	82.0%		

(Maine Department of Education Data, <http://www.maine.gov/education/enroll/index.shtml>)

Appendix v

Relative Rate Indices

Relative Rate Index Compared with : White								
Androscoggin County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	2.36	**	1.05	*	*	*	1.63
3. Refer to Juvenile Court	1.00	2.40	**	**	*	*	*	2.13
4. Cases Diverted	1.00	0.55	**	**	*	*	*	0.64
5. Cases Involving Secure Detention	1.00	1.27	**	**	*	*	*	1.35
6. Cases Petitioned	1.00	1.31	**	**	*	*	*	1.27
7. Cases Resulting in Delinquent Findings	1.00	0.68	**	**	*	*	*	0.74
8. Cases resulting in Probation Placement	1.00	2.27	**	**	*	*	*	2.62
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	0.77	**	**	*	*	*	0.72
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	No	No	

Relative Rate Index Compared with : White								
Aroostook County	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	1.00	**	**	*	*	1.30	*	0.64
3. Refer to Juvenile Court	1.00	1.37	**	*	*	2.92	*	2.55
4. Cases Diverted	1.00	**	**	*	*	**	*	1.23
5. Cases Involving Secure Detention	1.00	**	**	*	*	**	*	**
6. Cases Petitioned	1.00	**	**	*	*	**	*	0.66
7. Cases Resulting in Delinquent Findings	1.00	**	**	*	*	**	*	**
8. Cases resulting in Probation Placement	1.00	**	**	*	*	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	**	**	*	*	**	*	**
10. Cases Transferred to Adult Court	**	**	**	*	*	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	No	No	Yes	No	

Relative Rate Index Compared with : White								
Cumberland County	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	1.00	1.27	**	0.38	*	*	*	0.66
3. Refer to Juvenile Court	1.00	1.60	**	0.52	*	*	*	1.11
4. Cases Diverted	1.00	0.42	**	**	*	*	*	0.58
5. Cases Involving Secure Detention	1.00	1.68	**	**	*	*	*	2.24
6. Cases Petitioned	1.00	1.51	**	**	*	*	*	1.38
7. Cases Resulting in Delinquent Findings	1.00	0.82	**	**	*	*	*	0.83
8. Cases resulting in Probation Placement	1.00	**	**	**	*	*	*	1.18
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	**	**	**	*	*	*	0.59
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	No	No	

Relative Rate Index Compared with : White								
Kennebec County	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	1.00	2.29	**	**	*	*	*	0.78
3. Refer to Juvenile Court	1.00	2.14	**	**	*	*	*	1.39
4. Cases Diverted	1.00	**	**	**	*	*	*	0.73
5. Cases Involving Secure Detention	1.00	**	**	**	*	*	*	2.65
6. Cases Petitioned	1.00	**	**	**	*	*	*	1.15
7. Cases Resulting in Delinquent Findings	1.00	**	**	**	*	*	*	**
8. Cases resulting in Probation Placement	1.00	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	No	No	

Relative Rate Index Compared with : White								
Penobscot County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	1.41	**	**	*	1.35	*	0.77
3. Refer to Juvenile Court	1.00	1.49	**	**	*	1.93	*	1.19
4. Cases Diverted	1.00	**	**	**	*	**	*	0.62
5. Cases Involving Secure Detention	1.00	**	**	**	*	**	*	1.47
6. Cases Petitioned	1.00	**	**	**	*	**	*	1.54
7. Cases Resulting in Delinquent Findings	1.00	**	**	**	*	**	*	**
8. Cases resulting in Probation Placement	1.00	**	**	**	*	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	**	**	**	*	**	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	**	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	Yes	No	

Relative Rate Index Compared with : White								
York County	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	1.00	2.22	**	**	*	*	*	0.61
3. Refer to Juvenile Court	1.00	2.12	**	**	*	*	*	0.93
4. Cases Diverted	1.00	**	**	**	*	*	*	0.99
5. Cases Involving Secure Detention	1.00	**	**	**	*	*	*	1.21
6. Cases Petitioned	1.00	**	**	**	*	*	*	0.90
7. Cases Resulting in Delinquent Findings	1.00	**	**	**	*	*	*	**
8. Cases resulting in Probation Placement	1.00	**	**	**	*	*	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	**	**	**	*	*	*	**
10. Cases Transferred to Adult Court	**	**	**	**	*	*	*	**
Group meets 1% threshold?	Yes	Yes	Yes	Yes	No	No	No	

Relative Rate Index (RRI) Analysis and Tracking Sheet

County 2010 Androscoggin	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islander	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	SMVC (RRI 2.36, n=131, 35 pc)		C (RRI 1.05, n=8, 90 pc)				SMV (RRI 1.63, n=139, 45 pc)
3. Referrals to Juvenile Court	SMVC (RRI 2.40, n=109, 99 pc)						SMVC (RRI 2.13, n=148, 99 pc)
4. Cases Diverted	SMVC (RRI 0.55, n=28, 10 pc)						SMVC (RRI 0.64, n=44, 20 pc)
5. Cases Involving Secure Detention	C (RRI 1.27, n=23, 55 pc)						(RRI 1.35, n=31, 60 pc)
6. Cases Petitioned (Charges Filed)	SVC (RRI 1.31, n=83, 85 pc)						SVC (RRI 1.27, n=109, 80 pc)
7. Cases Resulting in Delinquent Findings	SVC (RRI 0.68, n=36, 10 pc)						SC (RRI 0.74, n=52, 10 pc)
8. Cases resulting Probation Placement	SC (RRI 2.27, n=9, 99 pc)						SC (RRI 2.62, n=15, 99 pc)
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	C (RRI 0.77, n=11, 20 pc)						C (RRI 0.72, n=15, 10 pc)
10. Cases Transferred to Adult Court							

Key: **S**= Statistically Significant **M**=Magnitude of RRI **V**=Volume of Activity **C**=Comparative with other jurisdictions*

Relative Rate Index (RRI) Analysis and Tracking Sheet

County 2010 Cumberland	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islander	American Indian or Alaska Native	Other/Mixed	All Minorities
2. Juvenile Arrests	SVC (RRI 1.27, n=86, 10 pc)		SC (RRI 0.38, n=16, 85 pc)				SVC (RRI 0.66, n=102, 10 pc)
3. Referrals to Juvenile Court	SMVC (RRI 1.60, n=84, 85 pc)		SC (RRI 0.52, n=17, 95 pc)				C (RRI 1.11, n=133, 40 pc)
4. Cases Diverted	SMVC (RRI 0.42, n=20, 5 pc)						SMVC (RRI 0.58, n=44, 10 pc)
5. Cases Involving Secure Detention	SMVC (RRI 1.68, n=28, 75 pc)						SMVC (RRI 2.24, n=59, 90 pc)
6. Cases Petitioned (Charges Filed)	SMVC (RRI 1.51, n=63, 95 pc)						SVC (RRI 1.38, n=91, 95 pc)
7. Cases Resulting in Delinquent Findings	C (RRI 0.82, n=26, 15 pc)						C (RRI 0.83, n=38, 10 pc)
8. Cases resulting Probation Placement							C (RRI 1.18, n=22, 95 pc)
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities							C (RRI 0.59, n=8, 5 pc)
10. Cases Transferred to Adult Court							

Key: **S= Statistically Significant** **M=Magnitude of RRI** **V=Volume of Activity** **C=Comparative with other jurisdictions***

Relative Rate Index (RRI) Analysis and Tracking Sheet

County 2010 Penobscot	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islander	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	C (RRI 1.41, n=13, 10 pc)				(RRI 1.35, n=12)		C (RRI 0.77, n=26, 10 pc)
3. Referrals to Juvenile Court	C (RRI 1.49, n=12, 90 pc)				S (RRI 1.93, n=15)		C (RRI 1.19, n=35, 70 pc)
4. Cases Diverted							C (RRI 0.62, n=8, 20 pc)
5. Cases Involving Secure Detention							C (RRI 1.47, n=6, 65 pc)
6. Cases Petitioned (Charges Filed)							C (RRI 1.54, n=10, 99 pc)
7. Cases Resulting in Delinquent Findings							
8. Cases resulting Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities							
10. Cases Transferred to Adult Court							

Key: **S= Statistically Significant** **M=Magnitude of RRI** **V=Volume of Activity** **C=Comparative with other jurisdictions***

Relative Rate Index (RRI) Analysis and Tracking Sheet

County 2010 York	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islander	American Indian or Alaska Native	Other/ Mixed	All Minorities
2. Juvenile Arrests	SMVC (RRI 2.22, n=37, 35 pc)						SVC (RRI 0.61, n=43, 10 pc)
3. Referrals to Juvenile Court	SVMC (RRI 2.12, n=29, 25 pc)						C (RRI 0.93, n=54, 75 pc)
4. Cases Diverted							C (RRI 0.99, n=17, 85 pc)
5. Cases Involving Secure Detention							C (RRI 1.21, n=12, 40 pc)
6. Cases Petitioned (Charges Filed)							SC (RRI 0.90, n=15, 10 pc)
7. Cases Resulting in Delinquent Findings							
8. Cases resulting Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities							
10. Cases Transferred to Adult Court							

Key: **S= Statistically Significant** **M=Magnitude of RRI** **V=Volume of Activity** **C=Comparative with other jurisdictions**

